

CALIFORNIA LEGISLATURE

1977-78 REGULAR SESSION

SUMMARY DIGEST

of

Statutes Enacted and Resolutions (Including Proposed
Constitutional Amendments) Adopted in 1977

and

1969-1977 Statutory Record



DARRYL R. WHITE
Secretary of the Senate

JAMES D. DRISCOLL
Chief Clerk of the Assembly

Compiled by
BION M. GREGORY
Legislative Counsel

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PREFACE

Digests

The Summary Digest consists of a short summary of each law enacted, and of each constitutional amendment, concurrent or joint resolution adopted by the Legislature in 1977. Except for technical corrections indicated by "*" (words stricken out or added), the summary of each measure is identical to the Legislative Counsel's digest which appeared on the face of the legislative measure when placed on final passage by both houses.

Cross-Reference Tables

The text of the Summary Digest is arranged numerically by chapter number.

Cross-reference tables are arranged numerically by bill or resolution number and indicate the chapter number of each.

Index

A subject matter index to all measures, including constitutional amendments and resolutions, is included.

Statutory Record

This edition of the Summary Digest includes a cumulative statutory record for 1969–1977, followed by a list of concurrent resolutions adopted in the years 1969–1977 which affect concurrent resolutions adopted in prior years, and lists of new general laws passed in the years 1969–1977 which do not specifically amend, add to, or repeal any existing code or general law. Cumulative statutory records for 10-year periods, 1959–1968 and 1949–1958, and for the 16-year period, 1933–1948, are published in separate volumes, which supplement the original statutory record, 1850–1932, published in 1933.

ABBREVIATIONS

SB	Senate Bill
AB	Assembly Bill
SCA	Senate Constitutional Amendment
SCR	Senate Concurrent Resolution
SJR	Senate Joint Resolution
ACA	Assembly Constitutional Amendment
ACR	Assembly Concurrent Resolution
AJR	Assembly Joint Resolution
Sec	Section
Art	Article
Ch	Chapter
Res. Ch	Resolution Chapter
Pt.	Part
Div	Division
Stats	Statutes

EFFECTIVE DATES

Regular Session

The 1977-78 Regular Session convened on December 6, 1976, and the interim recess commenced on September 15, 1977. Statutes enacted in 1977, other than those taking immediate effect, will become effective January 1, 1978. In absence of other considerations, the provisions of a statute become operative on the date it takes effect. Digests indicate statutes taking immediate effect

An urgency statute and a statute calling an election, providing for a tax levy, or making an appropriation for the usual current expenses of the state may take effect immediately. Such a statute becomes *effective* on the date it is filed with the Secretary of State

However, any statute may, by its own terms, delay the *operation* of its provisions until the happening of some contingency, until a specified time, or until a vote of the electors at a statewide election. Also, a later statute or a general provision in a particular code may delay the operation of a statute to a time after its effective date.

The effective date of a joint or concurrent resolution is the date it is filed with the Secretary of State

A constitutional amendment proposed by the Legislature and adopted by the people takes effect the day after the election unless the measure provides otherwise.

**DIGESTS OF STATUTES
ENACTED IN 1977**

1977-78 REGULAR SESSION

BILL CHAPTERS

1977 REGULAR SESSION

Ch. 1 (SB 14) Dunlap. Elections.

(1) Effective January 1, 1977, the Elections Code will contain two sections defining the term "county measure" for purposes of county elections and two sections defining the term "city measure" for purposes of city elections. The definition of the respective terms by the two respective sections are identical, except the definitions added by Chapter ~~931~~ [916] of the Statutes of 1976 include advisory elections.

This bill would repeal those sections in the Elections Code which do not include advisory elections in the definitions of the terms "county measure" and "city measure."

(2) Chapter 307 of the Statutes of 1976 added Section 6585.1 to the Elections Code to provide that whenever only two candidates for any single seat on the board of supervisors of a county are seeking election, those candidates shall not be placed on the primary ballot, but instead must be placed on the general election ballot. However, as a result of Chapter 1191 of the Statutes of 1976, the provisions of Section 6585.1 were repealed.

This bill would add the provisions of Section 6585.1 to the Elections Code, as Section 6614.1.

(3) This bill would also make certain technical changes and would delete a duplicate provision in the codes.

The bill would take effect immediately as an urgency statute.

Ch. 2 (SB 15) Nejedly. Imprisonment.

The "Uniform Determinate Sentencing Act of 1976" becomes operative July 1, 1977.

This bill would make technical clarifying changes.

This bill would take effect immediately as an urgency statute, to be operative on July 1, 1977.

Ch. 3 (AB 12) Arnett. State lands: disposition.

(1) Existing law provides, with respect to provisions of the law authorizing the Director of General Services to sell, lease, or option to purchase specified real property, that any lease or purchase option consummated prior to March 31, 1977, shall remain in effect for the term of such agreement but shall not extend beyond January 1, 1982.

This bill would revise such provisions to provide that any lease or purchase option consummated prior to December 31, 1977, rather than March 31, 1977, shall remain in effect for the term of such agreement but shall not extend beyond January 1, 1983, instead of January 1, 1982.

(2) Existing law requires the Director of General Services, with respect to specified real property which, subject to certain conditions, he is authorized to sell, lease, or option to purchase, to negotiate for a one-year period to sell such property to local public entities for specified purposes if the director does not enter into an agreement to sell, lease, or option to purchase such property to the United States government prior to March 31, 1977.

This bill would require, instead, that such negotiation with local public entities be conducted if the director does not enter into an agreement to sell, lease, or option to purchase such property to the United States government prior to December 31, 1977 instead of March 31, 1977.

(3) Existing law limits the effective date of provisions of the law authorizing the Director of General Services to sell, lease, or option to purchase a specified parcel of property to March 31, 1977, unless a later enacted statute, which is chaptered before March 31, 1977, deletes or extends such date.

This bill would extend the effective date of such provisions until December 31, 1977, unless a later enacted statute, which is chaptered before December 31, 1977, deletes or

extends such date.

[The bill would take effect immediately as an urgency statute.] *

Ch. 4 (SB 123) Garcia. Elections: Democratic state central committee.

Under existing law, the Democratic state central committee meets on the fourth Sunday of January after a general election.

This bill would change such date to the last Sunday in January after a general election
The bill would take effect immediately as an urgency statute

Ch 5 (AB 181) Lewis. Air pollution: financing of district operations

Existing law requires each county within the South Coast Air Quality Management District to pay an apportioned amount to finance the operations of the district

This bill would appropriate \$2,931,000 from the General Fund to the Department of Finance for disbursement to the district in 5 equal installments on February 1, March 1, April 1, May 1, and June 1, 1977, for expenditure by the district for the purposes of the Lewis Air Quality Management Act. Any county that before March 1, 1977, has not paid its apportionment for the 1976-77 fiscal year, in full, to the district would be liable to the state for reimbursement of any amount disbursed from funds appropriated by this bill that represents the unpaid portion of its apportionment and for payment of interest on such amount at a rate equal to the prevailing rate of return on moneys in the Pooled Money Investment Account. With respect to any county that, on July 1, 1977, has not reimbursed the state the amount disbursed, or has not paid the interest on such amount, the Director of Finance would be required to order that sums equal to such amounts be withheld from revenues collected by the state for that county pursuant to its sales and use tax ordinance and be deposited in the General Fund.

If any previously unpaid apportionment is received by the district, the bill either would require the department to reduce the amount of disbursements accordingly or would require the district to reimburse the department a specified amount. Provision also would be made for the disposition of payments made by a county to the state prior to July 1, 1977.

The bill would take effect immediately as an urgency statute.

Ch. 6 (SB 45) Roberti. Urban Open-Space and Recreation Program.

Existing law requires the Director of Parks and Recreation to submit to the Legislature for its approval criteria for determining priority of need among applicants for grants made pursuant to the Roberti-Z'berg Urban Open-Space and Recreation Program Act

This bill would approve such criteria as submitted in a designated document. The bill would also require that any new, revised, or amended criterion or any criterion to be deleted also be submitted to the Legislature for its approval by statute. Other conforming changes would be made.

The bill would take effect immediately as an urgency statute.

Ch. 7 (AB 39) Craven. Validation of proceedings: local government.

Under existing law the validity of certain acts or proceedings undertaken by local public entities may not be contested in any action unless such action is brought within 6 months from the date of completion of such act or proceeding and within 6 months of specified tax dates subsequent to the completion date of such act or proceeding; and unless such action is commenced within such period all such acts or proceedings must be held valid.

This bill would repeal the above provision which provides that the validation proceedings must be commenced within 6 months of specified tax dates subsequent to the completion date of the acts or proceedings.

Effective on and after January 1, 1977, there will be no specified manner prescribed in the Code of Civil Procedure, except in connection with the authorization, sale, or issuance of local bonds, in which local public entities may seek validation of certain acts and proceedings undertaken by the entities.

This bill would reenact Section 349.4 of the Code of Civil Procedure which sets forth a specified manner in which local public entities may seek validation

This bill would take effect immediately as an urgency statute.

Ch 8 (AB 464) Chappie Schools: destruction interim facilities.

The elementary school of the San Juan Ridge Union Elementary School District was recently destroyed by fire

This bill would permit the district to utilize other specified sites as temporary school facilities pending the construction of a new school building and would generally exempt such temporary facilities from conforming to standards otherwise prescribed by the Field Act

The exemption provided for by this bill would remain in effect until June 30, 1978

This bill would take effect immediately as an urgency statute

Ch. 9 (AB 718) McVittie. Taxation: exempt organizations.

Chapter 865 of the Statutes of 1976 repealed a provision of the Bank and Corporation Tax Law exempting certain political organizations from taxation and added a new provision with an expanded definition of political organizations and made other changes relating to the exempt status of these organizations. The provisions of Chapter 865 became operative with respect to taxable years beginning on and after January 1, 1976

This bill would delay the operative date of Chapter 865 of the Statutes of 1976 to be applicable instead to taxable years beginning on and after January 1, 1977.

The bill would take effect immediately as a tax levy

Ch 10 (AB 58) Fenton Civil marriages: solemnization—retired court commissioners

Existing law authorizes specified categories of persons to solemnize marriages, including court commissioners.

This bill would specifically include within such categories retired court commissioners.

This bill would also provide that it is declaratory of existing law.

This bill would also take effect immediately as an urgency statute

Ch. 11 (AB 134) Vicencia Horseracing.

Under existing law, effective until March 6, 1977, any racing association which handles \$25 million or less in the parimutuel pools operated by it during the course of a racing meeting is exempt from other statutory provisions relating to the percentage payment of purses, license fees, and payments to owners and breeders, and instead pays out 5.5% as a license fee and 10.25% to owners and breeders as commissions and purses.

This bill would increase from \$25 million to \$30 million the amount in the parimutuel pool which will qualify an association for exemption from the other statutory provisions relating to the percentage payment of purses and payments to owners and breeders, and for reduced license fees. The provisions of the bill would be effective until September 1, 1977.

This bill would take effect immediately as an urgency statute.

Ch. 12 (SB 267) Ayala. Ground water use.

Existing law provides that cessation of, or reduction in, the extraction of ground water by the owner of a right to extract, as a result of the use of an alternate supply of water from a nontributary source, is a beneficial use of the ground water and, upon filing specified reports with the State Water Resources Control Board, precludes loss of rights in ground water under such conditions.

Existing law provides for filing of the statement of such alternate use occurring prior to January 1, 1977, on or before April 1, 1977, in designated counties, to prevent lapse, reduction, or loss of any right to extract ground water pursuant to such existing law, and on or before December 31 of each calendar year thereafter for the preceding water year.

This bill would instead provide for the filing of the statement of such alternate use occurring prior to October 1, 1981, on or before December 31, 1981, in such counties, and on or before December 31 of each calendar year thereafter for the preceding water year

The bill would go into immediate effect as an urgency statute.

Ch. 13 (SB 293) Nejedly. Oil and gas wells: indemnity bonds.

Existing law that became effective on January 1, 1977, requires every person who engages in the drilling, redrilling, or deepening, or in any operation permanently altering the casing, of any well to file with the State Oil and Gas Supervisor a \$25,000 indemnity bond (or certain in-lieu securities) for each such well. The bond may be terminated and cancelled, with the consent of the supervisor, when the well covered by the bond has been properly abandoned.

This bill would, instead, provide that any such bond issued before January 1, 1978, may be so terminated and cancelled when the well has been properly completed or abandoned. Proper completion of a well would be defined. Further, authority for termination and cancellation on the basis of the sole criterion of abandonment of a well would apply only to a bond issued on or after January 1, 1978.

This bill would take effect immediately as an urgency statute.

Ch. 14 (SB 24) Marls. State Controller: appropriation.

This bill would make an appropriation of \$428,950 for use and support of the State Controller, with \$111,160 of such amount for unbudgeted rent and moving costs during the 1976-77 fiscal year, and \$317,790 of such amount for remodeling the Veteran's Affairs Building during the 1976-77 and 1977-78 fiscal years. No expenditure of such funds for remodeling would be permitted without the prior approval of the State Public Works Board, and would be subject to the State Contract Act.

This bill would go into immediate effect as an urgency statute.

Ch. 15 (AB 33) Lewis. Junior high schools: tuition.

Chapter 1254 of the Statutes of 1976 (AB 4149), which took effect immediately as an urgency statute, permitted any high school district with average daily attendance of 2,000 or less, exclusive of average daily attendance of pupils in the 7th and 8th grade levels, to levy and collect a tax to pay the high school district for the cost of maintaining a junior high school program for pupils from all of the elementary school districts situated within the high school district. The chapter also established separate junior high school revenue limits for such high school districts and provided for the revenue limit of their component elementary school districts to be increased or decreased so as to provide the amount of money which was available to such districts prior to the establishment of separate junior high school revenue limits. Such revision was to take place only after an affirmative vote of the electors of the district at an election which was to be consolidated with the general election of 1976.

AB 4149 was chaptered on September 27, 1976, by the Secretary of State and thus the election was not held on the date specified.

This bill would require the election to be set by the governing board of the school district calling the election.

This bill would also make related technical changes with respect to the establishment of a base year for tuition and revenue limit computation purposes.

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 16 (AB 62) McAlister. Traffic offenses: driving under influence of any drug: arrest without warrant.

Under existing law, a peace officer is specifically authorized to arrest, without a warrant, a person involved in a traffic accident when the officer has reasonable cause to believe that such person had been driving while under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug.

This bill would make such provisions applicable when a peace officer has reasonable cause to believe that a person involved in a traffic accident had been driving while under the influence of any drug.

Ch. 17 (AB 133) Robinson. Workers' compensation.

(1) Existing law includes various classes of persons within the coverage of the Workers' Compensation Law, including persons employed by the owner of a private dwelling

whose duties are incidental to the ownership, maintenance, or use of the dwelling, including the performance of household domestic service and babysitting services. Existing law does, however, exclude from such coverage those persons employed in such capacities by a parent, spouse, or child.

This bill would revise such class of included persons to include any person employed by the owner or occupant of a residential dwelling whose duties are incidental to the ownership, maintenance, or use of the dwelling, including the care and supervision of children, or whose duties are personal and not in the course of the trade, business, profession, or occupation of the owner or occupant, as defined. Persons so employed who do not work at least 52 hours, or receive at least \$100, from the owner or occupant of the dwelling in the 90 calendar day period immediately preceding the date on which the injury occurred, would be excluded.

This bill would also make various related changes to the Workers' Compensation Law.

(2) Existing law prohibits, with designated exceptions, any policy of insurance providing comprehensive personal liability coverage, or any endorsement thereto, from being issued, amended, or renewed in this state, on or after January 1, 1977, unless it contains a provision for coverage against liability for payment of workers' compensation to those persons employed by the owners of private dwellings to perform the described household and domestic services. Insureds who employ no such persons may reject such coverage in a specified manner.

This bill would remove the requirement that endorsements to such policies contain such coverage, and would specify that the requirement is applicable only to policies issued or renewed. Such coverage would be inapplicable if any other workers' compensation insurance is applicable and collectible to the injury or death of the employee. The provision permitting insureds to reject such coverage if they employ no covered employees would be removed, thereby requiring all insureds under such policies to maintain such coverage.

(3) Existing law exempts liability insurers which issue workers' compensation coverage under their comprehensive personal liability insurance policies from the provisions of law which require workers' compensation insurers to post and maintain specified bonds in favor of the Insurance Commissioner as trustee to protect beneficiaries of awards of workers' compensation against the insurers.

This bill would further exempt such liability insurers from the requirements imposed upon workers' compensation insurers under the provisions relating to state workers' compensation insurance rate supervision and from the provisions relating to workers' compensation insurance rating and other organizations, to the extent of workers' compensation coverage of employees covered by this bill.

(4) Existing law specifies that the McBride-Grunsky Insurance Regulatory Act of 1947 is inapplicable to workers' compensation insurance.

This bill would place the rates, classifications, and rating systems for the workers' compensation coverage required for comprehensive personal liability insurance under such act.

(5) Existing law contains provisions permitting employers who have in their employ persons who are not "employees" under the Workers' Compensation Law to elect with such persons, jointly, to come under the provisions of such law.

This bill would specify that no liability for workers' compensation shall attach to any employer of a domestic employee who does not meet the wage and hour thresholds who is injured on or after the effective date of this bill if the employer had elected to come within the Workers' Compensation Law prior to such effective date.

(6) This bill would take effect immediately as an urgency statute.

Ch. 18 (AB 164) Robinson. Judges: Orange County.

Under existing law there are 37 superior court judges in Orange County, 4 of those [which] * positions became operative on January 1, 1977.

This bill would appropriate the sum of \$240,000 to the Controller for allocation and disbursement to local agencies for costs incurred by them for those 4 new judgeships.

The bill would take effect immediately as an urgency statute.

Ch 19 (AB 547) Robinson Appliance labeling.

Existing law requires that on and after April 1, 1977, appliances, as defined to include, among other things, radios used or sold for use in private motor vehicles, shall be labeled with a serial number unique to the appliance and requires manufacturers to furnish information relating to model and serial numbers of appliances to the purchaser of such appliances.

This bill would provide that such requirements are to apply to factory installed radios or to radios replaced by factory radios only on motor vehicles which are manufactured on and after September 1, 1977.

The bill would provide that the act is to take effect immediately as an urgency statute.

Ch 20 (AB 215) Wornum Municipal election. election supplies

Existing law requires each official in charge of conducting an election, including, by definition, city clerks, to furnish to precinct officers specified election supplies and equipment. However, separate and varied statutory provisions require city clerks to furnish specified election supplies and equipment to precinct officers in the conduct of municipal elections.

This bill would revise existing law by conforming the provisions governing the furnishing of election supplies and equipment at municipal elections to those provisions which generally govern the furnishing of such election materials.

In addition, existing law authorizes election officials, including city clerks, with the approval of the county board of supervisors to furnish precinct officers with original books of affidavits of registration or other materials necessary to verify signatures. However, existing statutory provisions governing only municipal elections require the use of original affidavits of registration, or copies thereof, by precinct officers.

This bill would repeal the above provision requiring the use of original affidavits of registration, or copies hereof, by precinct officers at municipal elections.

Ch. 21 (SB 30) Gregorio. Juvenile court law

Existing law provides for a demonstration program in not less than two nor more than four counties selected by the State Department of Health with regard to various services to minors. Among these is an authorization permitting an action to be brought for the purpose of having a person under 18 declared free from the custody and control of his parent where the child has been found to be a dependent child of the juvenile court and is voluntarily placed in an out-of-home placement or has been removed from the physical custody of his parent or parents, and where an action to terminate parental rights has been initiated.

This bill would (1) provide that the demonstration programs shall be in two counties, (2) provide a formula for the distribution between the state and counties of costs incurred by such demonstration programs in the 1977-1978, 1978-1979, 1979-1980, and 1980-1981 fiscal years; (3) codify the above specified provision, and (4) make technical changes.

It would also make extensive technical corrections to the juvenile court law and codify various provisions relating to that subject now contained in general law.

The formula provisions would take effect immediately, as an urgency statute, but the codification and other changes would be operative July 1, 1977.

Ch. 22 (SB 86) Behr. Crimes. caves archaeological occupation.

Existing law prohibits disturbance or alteration of evidence of archaeological prior occupation in any cave.

This bill would prohibit, instead, disturbance or alteration of archaeological evidence of prior occupation in any cave.

The bill would take effect immediately as an urgency statute.

Ch 23 (AB 6) ~~Paper~~ [Cage] * Governor: return of unapproved bills.

Under existing statutory law, if on the day the Governor desires to return a bill without his approval and with his objections thereto the house in which it originated has adjourned for the day (but not for the session), he is authorized to deliver the bill with his message to the presiding officer, secretary, chief clerk, or any member of the house. Further, if the Governor, on the first day the house is again in session, by message notifies

it of such delivery and of the time when and the person to whom delivery was made, existing law provides that the delivery is as effectual as though returned when the house was meeting.

This bill would delete the reference regarding delivery to the "presiding officer" in such provisions and would specifically provide that the delivery may be to the Secretary of the Senate if the bill originated in the Senate, to the Chief Clerk of the Assembly if it originated in the Assembly, or to any member of the house in which it originated. The bill would also delete the requirement that the Governor send a message to the house of such a delivery in order for it to be effectual.

Under existing constitutional law, every bill which has passed both houses of the Legislature, and has not been returned by the Governor within 12 days, thereby becomes law. Existing statutory law prescribes a procedure for authenticating such a bill, through the Governor causing the fact of its becoming a law to be certified by the Secretary of State, who then assigns it a chapter number as an enacted statute.

Also under existing constitutional law, any bill passed by the Legislature before September 1 of the second calendar year of the biennium of the legislative session and in the possession of the Governor on or after September 1 that is not returned by the Governor on or before September 30 of that year becomes a statute.

There is no statutory procedure for authenticating a bill which becomes a law in this manner. This bill would add such a statutory procedure, to correspond with the existing procedure for authenticating bills which have not been returned by the Governor within 12 days.

Ch. 24 (AB 66) Craven School classified employees.

Under existing law, school and community college employees a part of the classified service are entitled to various paid holidays, as specified.

This bill would specify that such paid holidays are applicable to probationary and permanent employees.

Ch. 25 (AB 87) Lehman. County Employees Retirement Law: benefits

Existing County Employees Retirement Law of 1937 permits the retirement board to retire a member for nonservice-connected disability while a member pursues any re-hearing upon an application for service-connected disability retirement.

This bill would also permit the granting of a service retirement allowance to applicants for disability retirement if final determination is not made upon their application within 90 days.

Ch. 26 (AB 170) Dixon. State Teachers' Retirement System: board membership.

Under existing law, the State Teachers' Retirement System is managed by the Teachers' Retirement Board consisting of nine members, three of whom are specifically required to be members of the system and of these members of the system two shall be classroom teachers. "Retirants" are ineligible for appointment to the board under such provision because they are defined, in part, as former members of the system.

This bill would provide that one of such members of the Teachers' Retirement System who are members of the board may be a retirant of the system.

Ch. 27 (AB 202) Bannai. CSUC Contract Law: bidder's statement.

Under existing statutes the Trustees of the CSUC are required, for contracts where estimated cost exceeds \$50,000, to require from bidders a specified verified questionnaire and financial statement and, for contracts for a lesser amount, are authorized to require such questionnaire and statement.

This bill would increase such amount from \$50,000 to \$150,000.

Ch. 28 (AB 380) Gualco. Water conservation.

Existing law requires the water resources of the state to be put to beneficial use to the fullest extent of which they are capable. Existing law also requires the Department of Water Resources to take all appropriate proceedings to prevent waste, unreasonable use, or unreasonable method of diversion of water in this state.

This bill would appropriate \$600,000 to the Department of Water Resources for the purpose of making a pilot water conservation study, consisting of the purchase, distribution, and installation of water conservation devices, including, but not limited to, low

flow showerheads, showerhead flow restrictors, and toilet tank displacement devices or other toilet tank flow reducing devices.

The bill would require such study to be undertaken in at least three communities, selected by the Director of Water Resources, of varying water conditions. The bill would require such funds to be commingled, to the extent feasible with other federal, state, and local funds.

The bill would require the department to obtain participation of at least 10% of the cost of the study and report the results to the Legislature by specified dates.

The bill would take effect immediately as an urgency statute.

Ch. 29 (SB 22) Rains. Claims: Joel A. Valeu, Faye Ann Valeu, and Donald W. Valeu.

This bill would appropriate \$225,000 to the Department of Justice to settle the claims of Joel A. Valeu, Faye Ann Valeu, and Donald W. Valeu against the State of California.

This bill would take effect immediately as an urgency statute.

Ch. 30 (AB 29) Lancaster. Property taxation: maximum tax rates.

Existing law establishes maximum property tax rates for local agencies, but provides that one method of changing such a maximum rate is upon the approval of a majority vote of the qualified voters at a duly called election.

This bill would permit a local agency to levy a rate in addition to the maximum property tax rate for a specified purpose upon approval of a majority vote of the qualified voters at a duly called election, such additional rate to be reported to the Controller.

Ch. 31 (SB 85) Nimmo. County service areas: issuance of revenue bonds.

Existing law does not permit county service areas to authorize revenue bonds.

This bill would provide such authorization for the purpose of providing funds for public improvements, as specified.

The bill would provide that no proceeds of such bonds shall be used to finance improvements outside the improvement area, and only revenue from the service provided in the improvement area may be used to pay such revenue bonds.

The bill would take effect immediately as an urgency statute.

Ch. 32 (AB 131) Lewis. Removal of desert plants.

Existing law prohibits the removal of various plants, including cactus, growing upon public or private lands without a written permit from the owner of the land. It specifies that violation of such law is punishable by a fine of not more than \$500 or by imprisonment in a county jail for not more than 6 months, or by both such fine and imprisonment.

This bill would include native desert plants within existing regulations covering the purchase and transportation of trees, shrubs or boughs. It would require persons transporting, or selling or consigning for removal and transportation, over public roads and highways more than 5 native desert plants to file with the sheriff of each county in which such plants are harvested an application for transportation tags for such plants. It would require the purchaser of harvested native desert plants, or the harvester when transporting his own native desert plants, to have the transportation tag validated by a peace officer in either the county of purchase or harvest or an adjacent county, as specified.

It would additionally designate certain personnel of the U.S. Department of the Interior as peace officers for purposes of enforcement of such provisions.

The bill would also exempt designated provisions relating to the prohibition of the removal of plants, including desert plants, as they apply to maintenance and construction activities of public agencies and their employees or to desert plants propagated and cultivated pursuant to a valid nursery stock certificate.

The bill would provide that no appropriation is made for disbursement to local agencies for costs incurred by them pursuant to its provisions.

The bill would take effect immediately as an urgency statute.

Ch. 33 (AB 47) Lanterman. Validations.

This bill is the First Validating Act of 1977 and validates the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies and entities.

This bill is to take effect immediately as an urgency statute.

Ch. 34 (SB 56) Presley Evidence: rape prosecution.

Existing law generally permits the court in its discretion to exclude evidence if its probative value is substantially outweighed by the probability its admission will necessitate undue consumption of time or create substantial danger of prejudice, of confusing the issues, or of misleading the jury.

This bill would authorize the district attorney to move to exclude from evidence the current address and telephone number of any victim, in any criminal proceeding under specified provisions of law concerning particularized criminal sex acts, and would permit the court to order such evidence excluded if the court finds that the probative value of such evidence is outweighed by the creation of substantial danger to the victim.

The bill also would declare that nothing in the bill shall abridge or limit the defendant's right to discover or investigate information concerning the victim's current address and telephone number.

Ch. 35 (SB 112) Johnson. Feather River Hospital District: indebtedness

(1) Under the Local Hospital District Law, a hospital district is authorized, when funds are needed to meet current expenses of maintenance and operation, to borrow money on certificates of indebtedness or other evidence of indebtedness, in an amount not exceeding \$0.05 on each \$100 of assessed valuation of the district for a period not exceeding 5 years and at an interest rate not exceeding 8% per annum.

This bill would enact special provisions applicable solely to the Feather River Hospital District authorizing the district to engage in borrowing up to \$75,000, until January 1, 1983, without limitation as to the nature or purposes of such indebtedness or other obligation.

(2) This bill would take effect immediately as an urgency statute.

Ch. 36 (AB 447) Greene. 1977 Education Code Supplemental Act

Chapter 1010 of the Statutes of 1976 repeals the current version of the Education Code, which was last revised in 1959, and reenacts a reorganized Education Code, operative on April 30, 1977. Other education legislation enacted in 1976 was directed to the Education Code, as last revised in 1959.

This bill would adapt such other 1976 education legislation to the reorganized Education Code, as enacted by Chapter 1010 of the Statutes of 1976, and would make numerous technical changes.

This bill would take effect immediately as an urgency statute, and, with prescribed exceptions, would become operative on April 30, 1977.

Ch. 37 (AB 448) Greene Education law.

The 1977 Education Code Supplemental Act adapts education legislation enacted in 1976 to the Education Code as enacted by Chapter 1010 of the Statutes of 1976.

This bill would make further technical revisions to the provisions affected by 1976 legislation.

This bill would specify that other acts enacted in the 1977-78 Regular Session of the Legislature which affect sections of the Education Code also affected by this bill or by the 1977 Education Code Supplemental Act will prevail over this bill and that act.

This bill would take effect immediately as an urgency statute and would become operative April 30, 1977.

Ch. 38 (AB 278) Chappie. Projecting equipment in vehicles.

Existing law permits door handles, hinges, cable cinchers, and chain binders to extend 2 inches on each side of a vehicle.

This bill would permit holders for the display of placards warning of hazardous materials also to extend 2 inches on each side.

The bill would take effect immediately as an urgency statute.

Ch. 39 (AB 279) Bannai Uniform Veterans' Guardianship Act accounting by guardians.

Existing law requires guardians who have received on account of their wards' moneys from the Veterans Administration to file an account with the court annually.

This bill would permit the court to order such accountings on other than an annual basis.

Ch 40 (AB 442) Wray Pharmacy. container labeling requirements

Existing law prohibits a pharmacist from dispensing a prescription except in a container which is labeled with certain information. As to such information, existing law requires a pharmacist, unless the prescriber orders otherwise, to include the trade name of the drug, or if there is no trade name, the generic name of such drug.

This bill would permit the pharmacist to use either the manufacturer's trade name or the generic name

Ch 41 (SB 577) Ayala School field trips transportation by aircraft

Currently, the governing board of any school district or county superintendent of schools may conduct field trips or excursions by chartered aircraft operated exclusively by an air carrier or foreign air carrier engaged in air transportation with air transportation being defined as interstate, overseas, or foreign air transportations.

This bill would provide that such air transportation may be conducted on regularly scheduled as well as chartered ~~and~~ * aircraft, would authorize transportation by air to be provided by aircraft owned and operated by the state or federal government, and would also authorize transportation by air on a chartered or regularly scheduled aircraft of a passenger air carrier authorized to engage in transportation by air in the State of California by the Public Utilities Commission

This bill would be given retroactive effect.

This bill would take effect immediately as an urgency statute.

Ch 42 (AB 308) McVittie. Levy and execution.

Existing law requires that when a levy of execution is made against a bank account, a savings and loan account or a safe deposit box, not standing solely in the name of the judgment debtor, the levying judgment creditor shall post a bond in an amount not less than twice the amount of the judgment.

This bill would permit the bond to be posted in an amount of twice the amount sought to be reached by the levy when such amount is less than the amount of the judgment

Existing law requires the issuance of a new writ of execution when proceeds are received by the levying officer after the writ has been returned to court.

This bill would require the redelivery of the original writ to the levying officer to permit the officer to make an alias return of the levy as in the case of an original return of execution where the person in whose favor the writ runs so requests.

Ch 43 (SB 141) Nejedly. Unemployment compensation: extended benefits.

The federal Unemployment Compensation Amendments of 1976 removed the December 31, 1976, expiration date of the periods in which individuals could be paid up to 26 weeks of extended unemployment compensation benefits and made various other changes to such federal provisions.

This bill would make corresponding changes in pertinent state extended-benefit unemployment insurance laws, and would apply to weeks beginning after March 30, 1977.

The bill would provide that no appropriation is made or obligation created for the reimbursement to any local agency for costs incurred by it under this act.

This bill would take effect immediately as an urgency statute.

Ch 44 (AB 163) Robinson. Appliance labeling.

Existing law, on and after April 1, 1977, prohibits the sale by a manufacturer in this state of any appliance, as defined, unless there is embossed or permanently stamped or cast on the frame thereof, or imprinted or stamped upon a plate which is permanently affixed to such appliance, a serial number unique to the particular appliance.

This bill would prohibit the sale of any such appliance unless it has been permanently marked with such a serial number. The bill would require such a marking to be molded, die-stamped, or paint-stenciled or stamped or etched on metal that is permanently secured or indelibly stamped on pressure sensitive labels secured by adhesive that is adequate and suitable for permanent application.

This bill would extend the operative date of the foregoing provisions from April 1, 1977, to January 1, 1978.

This bill would also exempt factory or dealer installed radios installed in a new motor

vehicle or radios installed in a motor vehicle by a dealer to replace such factory or dealer installed radios from appliance labeling requirements

This bill would take effect immediately as an urgency statute, to be operative on April 1, 1977

Ch 45 (AB 307) Cordova General plans

Existing law provides that the legislative body of a local agency may not adopt or make any change in a general plan until the proposed change has first been referred to the planning commission for their report

This bill would instead provide that the legislative body may approve, modify or disapprove a planning commission recommendation provided that any change not first considered by the planning commission must be referred to the planning commission but the planning commission need not hold a public hearing thereon Failure of the planning commission to report within 40 days after the reference to the planning commission, or such longer period as may be designated by the legislative body, shall be deemed to be approval thereof

Ch. 46 (AB 317) Chel. Small claims court

Existing law does not permit a bookkeeper or accountant of the plaintiff or defendant to appear at a small claims court hearing in the absence of the plaintiff or defendant to prove a small claims court claim on an account

This bill would provide that the presence of the plaintiff or defendant at the hearing shall not be required to permit the proof of the items of an account.

Existing law provides that if the service of the claim and order upon the defendant is not completed at least 5 days prior to the hearing date where the defendant resides within the county in which the action is brought, or at least 15 days prior to the hearing date where the defendant resides outside the county in which the action is brought, the court shall not proceed on the hearing date, unless the defendant personally appears and does not request a continuance. The plaintiff in such case may apply to the judge or the clerk for a new order setting a new date for the hearing.

This bill would provide that in such cases the court shall continue the date for the hearing for at least 10 days and shall cause notice thereof by first-class mail to be served on any defendant who has been served but did not personally appear

Existing law provides that when there are 2 or more defendants and 1 or more of them resides outside the county in which the action is brought, the date for the appearance of all of the defendants shall not be more than 30 days from the date of the order to appear.

This bill would provide that the date for the appearance of all of the defendants shall not be more than 70 nor less than 30 days from the date of the order to appear.

This bill would also take effect immediately as an urgency statute, citing facts therefor

Ch. 47 (AB 319) Craven Community colleges nonresident tuition.

Chapter 990 of the Statutes of 1976 permits, among other things, community college districts to exempt from all or part of the nonresident tuition fee nonresidents who are both citizens and residents of a foreign country on an individual basis. Also, such nonresidents, in order to obtain an exemption of all or part of nonresident tuition fees, must demonstrate a financial need and not more than 10% of the nonresident foreign students attending any community college can be so exempted.

This bill would provide that any student receiving a waiver of the nonresident tuition fee on the effective date of Chapter 990 of the Statutes of 1976 would continue to receive such a waiver for a specified period of time and that no such student would be required to pay an additional fee or charge for the period between January 1, 1977, and the effective date of this act. This bill would also provide that the governing board of a community college district may decide not to charge additional tuition fees of foreign students receiving nonresident tuition fee waivers on January 1, 1977, from that date to the effective date of this bill. Additionally, such students would not be counted within the 10% limitation.

The bill would make these provisions remain operative until December 31, 1980, and as of that date would be repealed.

It would also take effect immediately as an urgency statute.

Ch 48 (AB 1850) Keysor. School certificated employees.

Under existing law, when a school district must reduce the number of certificated employees, or decides not to rehire a probationary employee for the next school year, the district must notify the affected employees of such fact by May 15th.

This bill would extend the date for notification to June 15th, for the 1977 calendar year only, in the case of a school district with an average daily attendance of 400,000 or more. The bill would take effect immediately as an urgency statute.

Ch 49 (AB 13) McAlister. Leases: damages.

Existing case law provides that if the tenant gives up possession of real property after commencement of an unlawful detainer proceeding, the action becomes an ordinary civil action for damages.

This bill would codify the above case law where possession of the property is no longer in issue because possession has been delivered to the lessor before trial or, if there is no trial, before entry of judgment.

This bill would specify that among the remedies available to a lessor when an unlawful detainer proceeding has been converted to an ordinary civil action are the damages authorized by statute if (1) a lessee breaches the lease and abandons the property before the end of the term or if (2) his right to possession is terminated by the lessor because of a breach. This bill permits the recovery of damages for the amount by which unpaid rent for the balance of the term after the time of award exceeds the amount of such rental loss that the lessee proves could be reasonably avoided or any other damages not recoverable in an unlawful detainer proceeding, only if the lessor first amends his complaint, as specified.

This bill would also provide that, unless the lessor amends his complaint, as specified, to state a claim for damages not recoverable in an unlawful detainer proceeding, the lessor's bringing of an unlawful detainer action does not affect the lessor's right to bring a separate action for relief under other specified provisions of law, except as to a claim for damages previously made and determined in the unlawful detainer proceeding.

This bill would specify that the defendant in such an action may cross-complain and may plead any defenses to the lessor's action for damages. It also provides that the defendant does not waive any related cause of action he has against the plaintiff unless the defendant after delivering possession of the property either files a cross-complaint or files an answer or amended answer in response to the plaintiff's amended complaint.

This bill would provide that the defendant's time to respond to a complaint for unlawful detainer is not affected by the delivery of possession of the property to the lessor, but, if the complaint is amended to plead for the recovery of specified damages, the defendant has the same time to respond to the amended complaint as in an ordinary civil action.

This bill provides that if the defendant's default has been entered on the unlawful detainer complaint and such default has not been opened by an amendment of the complaint or otherwise set aside, the case shall proceed as an unlawful detainer proceeding.

This bill also provides that nothing in the bill affects the pleadings that may be filed, the relief that may be sought, or the defenses that may be asserted in an unlawful detainer proceeding that has not become an ordinary civil action as provided in the bill.

Ch. 50 (SB 168) Roida. Claims against the state.

This bill would appropriate \$523,352.54 to the State Board of Control to pay claims awarded to local agencies and school districts by the board pursuant to specified provisions of law.

This bill would take effect immediately as an urgency statute.

Ch. 51 (SB 232) Johnson. Small school districts: lapsation.

Existing law mandates the lapsation of an elementary school district whenever the number of registered electors in the district, or the number of pupils attending schools in the district, is less than 6.

This bill would allow the governing board of an elementary school district, which is otherwise subject to lapsation, to elect not to be subject thereto if: (1) the district maintains only one school, (2) the nearest other elementary school is 35 miles or more

away, and (3) the voters of the district have, within the preceding 3 years, voted to increase the district's tax rate for purposes of maintaining an elementary school in the district

Ch 52 (SB 74) Garcia Payment of automobile collision repairs.

Under existing law an insurer issuing an automobile collision policy may elect to pay the repairs of an automobile by check or draft to the repairer, or to the named insured and the repairer, jointly.

This bill would also make such provision applicable to comprehensive coverage.

Ch. 53 (SB 208) Zenovich. Salaries: classified school employees.

Existing law permits the governing board of a school district or a community college district to increase the salaries of its classified employees at any time during the school year for the remainder of the school year

This bill would provide that such an increase shall be effective on any date ordered by the governing board, rather than being effective only for the remainder of the school year.

This bill would take effect immediately as an urgency statute

Ch. 54 (SB 258) P Carpenter Mobilehome parks rental agreements

Existing law contains no provision prescribing the form or duration of a mobilehome park rental agreement.

This bill would require the ownership or management of a mobilehome park to furnish a tenant with a written rental agreement for a term of not less than 12 months where the tenant requests that his tenancy be governed by a written rental agreement.

Ch 55 (SB 372) Greene. Health services: augmentation of appropriations

Existing law requires the state to pay the matching funds required for federal financial assistance for in-home supportive services, and appropriates funds for various aspects of the medical assistance program, including funds for matching federal funds for the support of the State Department of Health and for the state's share of expenditures for fiscal intermediary services under the program

This bill would appropriate \$12,302,300 to the State Department of Health for expenditure as follows.

(1) \$6,737,000 for allocation to the counties to pay in-home supportive services for the 1976-77 fiscal year and in augmentation of any other appropriation for such purpose.

(2) \$5,565,300 to augment, upon order of the Director of Finance and in such amounts as he determines, specified items of the Budget Act of 1976 for expenditure, during the 1976-77 fiscal year, for the state's share of support of the department, and expenditures for fiscal intermediary services, under the medical assistance program.

This bill would take effect immediately as an urgency statute

Ch. 56 (AB 168) Chel. Securities.

Existing law imposes various restrictions upon the issuance of corporate securities in this state, including certain qualification requirements concerning issuer transactions, recapitalizations and reorganizations, and nonissuer transactions, but exempts from such restrictions and requirements unincorporated interindemnity or reciprocal or interinsurance contracts between members of specified cooperative corporations composed solely of licensed physicians and surgeons if specified criteria are met.

This bill would confer upon the Corporations Commissioner specific discretionary powers regarding violations or alleged violations of specified medical malpractice provisions, including, among others, the institution of actions, making public or private investigations, publishing information, administering oaths and affirmations, issuing subpoenas to witnesses, compelling their attendance at proceedings, compelling testimony, and granting immunity from prosecution.

This bill would take effect immediately as an urgency statute.

Ch. 57 (AB 295) Fenton. Trials: precedence of issues.

Existing law provides a separate procedure for jury trials and nonjury trials whereby the trial of the issue of liability may precede the trial of any other issue in the case, except for special defenses which may be tried first.

This bill would make the procedure applicable to jury trials applicable to nonjury trials and would make such procedure available to the trial of any issue or any part thereof and not merely to the issue of liability

Ch 58 (AB 304) Fertton. State Bar

Existing law authorizes the Board of Governors of the State Bar to enroll a member of the State Bar as an inactive member under various conditions

This bill would authorize an officer of the State Bar or a board appointed by the Board of Governors to enroll a member as an inactive member under specified conditions

Existing law authorizes the Board of Governors of the State Bar to waive the payment of the annual membership fee by any member of the State Bar on a finding of good cause and upon the affirmative vote of 12 members of the board

This bill would delete such provision and would authorize the board to provide by rule for the waiver of such fee

Ch 59 (AB 428) Lockyer. School buildings: earthquake safety

Under existing law, all public school buildings, with specified exceptions, which have been examined and found to be unsafe, must be repaired, reconstructed or replaced in accordance with Field Act structural standards by June 30, 1975, unless the State Allocation Board has granted an extension under specified criteria Under current law such an extension may be granted to no later than June 30, 1977

This bill, which would apply only to the Oakland Unified School District, would extend the date of compliance by 2 years, to June 30, 1977, and would permit the State Allocation Board to grant an extension to June 30, 1978.

The bill would take effect immediately as an urgency statute

Ch 60 (AB 44) Robinson. Savings and loan associations, securities, and deposits

(1) Existing law authorizes savings and loan associations to make loans secured by various types of real property.

This bill would authorize an association to make loans secured by real property, the principal improvement of which consists of a combination of a farm residence and property used for a commercial farming enterprise, provided such loans conform to specified criteria

(2) Existing law provides that to be eligible to receive and retain demand or time deposits of state funds, a financial institution must deposit approved securities with the State Treasurer.

This bill would add to such approved securities, consolidated obligations of the Federal Home Loan Banks, and bonds, debentures, and other obligations of the Government National Mortgage Association and of the Federal Home Loan Mortgage Company.

(3) With respect to the deposit of funds of local governmental agencies, existing law provides that the depository shall maintain with the agent of the depository certain approved securities having a market value of at least 10% in excess of the total amount of all deposits.

This bill would add to such approved securities consolidated obligations of the Federal Home Loan Banks, and bonds, debentures, and other obligations of the Government National Mortgage Associations and of the Federal Home Loan Mortgage Corporation

(4) Existing law permits a trust company or trust department of a state or national bank located in this state to act as agents of depository to hold securities of a depository to secure the deposits of a local governmental agency.

This bill would permit, in addition, the Federal Home Loan Bank of San Francisco to act as an agent of depository for these purposes.

This bill would take effect immediately as an urgency statute.

Ch. 61 (AB 77) Goggin. State Energy Resources Conservation and Development Commission: funds for research: nuclear research.

(1) Under existing law, funds are appropriated for allocation by the Department of Finance to the State Energy Resources Conservation and Development Commission. Existing law also states that until the commission has undertaken and completed a study of the necessity for, and effectiveness and economic feasibility of, undergrounding and berm containment of nuclear reactors and has determined, after public hearings,

whether to require by rules and regulations that nuclear reactors be either undergrounded or berm contained, no nuclear fission thermal powerplant, including those exempted from certification from the commission, may be permitted land use in this state, or, where applicable, may be certified by the commission with prescribed exception. Such study is required to be completed and submitted to the Legislature within 1 year from January 1, 1977. Existing law also imposes other duties on the commission regarding nuclear thermal powerplants.

This bill would authorize the Director of Finance to allocate up to \$1,000,000, in augmentation of Item 234 of the Budget Act of 1976 (for support of the commission), for the purpose of conducting research relating to undergrounding and berm containment of nuclear reactors. The bill would also require the commission to submit to the Legislature, along with the study, a report indicating staff positions and duties which will be necessary, beyond the 1 year study completion date, in order to implement specified provisions imposing duties on the commission with respect to nuclear thermal powerplants. The bill would specify that any staff positions created to implement such provisions shall be eliminated by the end of the 1977-78 fiscal year.

(2) The bill would take effect immediately as an urgency statute.

Ch 62 (SB 230) Marks Asbestos enforcement authority

Under existing law, it is a misdemeanor for a person to spray any substance containing asbestos upon a building or structure during its construction, alteration, or repair except (1) cold process cutback asphalt roof coatings, and (2) until July 1, 1978, portland cement plaster containing less than $\frac{1}{2}$ of 1% asbestos, and exterior and interior coatings and laminating resins containing encapsulated asbestos fibers bound within the finished product from manufacture through application.

This bill would require the State Department of Health to enforce the asbestos prohibitions with respect to environmental and public health purposes and the Division of Industrial Safety of the Department of Industrial Relations would be required to enforce the asbestos prohibitions with respect to the safety of employees in the same manner as it enforces occupational health and safety standards.

The bill would take effect immediately as an urgency statute.

Ch 63 (SB 249) Ayala Fish and game. dove transportation permit

Under existing law, a licensed hunter, under specified conditions, may possess and transport 1 additional daily bag limit of doves taken in District 22 and that portion of the Coachella Valley west of Highway U S 99 in District 4, if the hunter has previously taken doves and the doves are accompanied by a valid transportation permit, the fee for which is set at no more than \$2.

This bill would repeal these provisions.

Ch 64 (SB 366) Russell Insurance discontinuance and replacement of group policies

Under existing law, certain group life insurance policies, group disability policies, group health care service plans, self insured employee welfare benefit plans, and group nonprofit hospital service contracts are required to contain a provision for a reasonable extension of benefits with respect to employees and dependents who are totally disabled at the date of discontinuance of the policy. Under existing law "discontinuance" of a policy means the termination of a policy which is replaced by replacement coverage.

This bill would provide that "discontinuance" means the termination of a policy or contract or the termination of coverage for an entire employer unit under a policy or contract. This bill would also modify the definition of "employee" and "replacement coverage."

The bill would modify the meaning of a reasonable extension of benefits to require the policies to provide for the conversion from group life to individual life insurance on the termination of the policy on the same basis as would have been allowed if the employees employment terminated on the date the insurance terminated. It would modify the meaning of the required reasonable extension of benefits with respect to replacement coverage for hospital, medical, or surgical expense benefits. It would also modify the duties of carriers providing replacement coverage with respect to hospital, medical, or surgical expenses.

The bill would also make technical, clarifying changes.

The bill would take effect immediately as an urgency statute.

Ch. 65 (AB 270) Vicencia. Tort liability insurance: appropriation.

Item 49 of the Budget Act of 1976, among other things, appropriated \$1,583,374 to the Department of Finance for various costs incurred in connection with tort liability claims and tort liability insurance. Of that amount, \$232,632 was scheduled for insurance premiums and \$22,250 in reimbursements were also scheduled.

This bill would appropriate an additional \$868,000 from the General Fund to the department for payment of tort liability insurance premiums during the 1976-77 fiscal year in augmentation of Item 49. The bill would also provide that the reimbursement due from special funds, pursuant to Item 49, for the share of those state agencies supported from such funds of the cost of the state's tort liability insurance premium shall not exceed, for each respective fund, the proportional percentage that each fund bears to the total amount budgeted for State Operations and Capital Outlay in the 1976-77 fiscal year and that the total amount of such reimbursement for the 1976-77 fiscal year shall not exceed \$325,612.

The bill would take effect immediately as an urgency statute.

Ch. 66 (AB 339) Craven. Leasing school property: bonded indebtedness.

Under existing law, a school district may enter into leases and agreements with non-profit corporations for the construction of public school buildings. The bonds, notes, warrants, other evidences of indebtedness, and the interest and income thereon, issued by a nonprofit corporation to finance construction of a building to be leased by a school district is generally exempt from state taxation.

This bill would also generally exempt from taxation all bonds, notes, warrants, or other evidences of indebtedness issued to refinance the bonds, notes, warrants, and other evidences of indebtedness specified in the above paragraph.

This bill would take effect immediately as an urgency statute.

Ch. 67 (AB 269) Creene. Witnesses.

Under existing law, every person who attempts by force or threat of force or by any other means fraudulently to induce any person to give false or withhold true testimony is guilty of a felony.

This bill would instead provide that every person who attempts by force or threat of force or by the use of fraud to induce any person to give false or withhold true testimony is guilty of a felony and that every person who knowingly induces another person to give false or withhold true testimony is guilty of a misdemeanor.

Ch. 68 (AB 429) Craven. Schools: buildings: leases.

Under current law, buildings which do not comply with the Field Act may be leased for general school purposes only if they are "temporary use buildings," which may be leased for only 3 years.

The bill would permit the continued use of certain leased facilities which do not meet Field Act requirements for continuation education purposes until the completion of replacement facilities or until September 1, 1978, whichever occurs first, if such facilities had been used for such purposes for at least 3 years prior to July 1, 1977.

This bill would be limited in application and would be repealed as of September 1, 1978.

This bill would take effect immediately as an urgency statute.

Ch. 69 (AB 239) Antonovich. Regulations of transactions: political items.

Existing law does not prohibit the sale of copies or reproductions of political items which are not so marked.

This bill would enact such a prohibition and would provide for an action to recover the consideration paid, plus interest, in the event of a violation of such prohibition, and to recover three times the consideration in the event of a knowing violation of such prohibition.

Ch 70 (AB 407) Tucker Public Employees' Retirement System.

The existing Public Employees' Retirement Law contains inoperative provisions of law relating to final compensation, reciprocity, and retirement allowances.

This bill would repeal such inoperative provisions.

Existing law requires the state to contribute 0.13% of state members compensation to the Public Employees' Retirement Fund to pay for group term life insurance benefits.

This bill would transfer that provision without substantive change to another location in the Public Employees' Retirement Law.

Existing law contains provisions which provide survivors benefits to beneficiaries of state members who are not covered by the federal Social Security Act.

This bill would merely insert cross references to such provision in other provisions.

Ch. 71 (AB 439) Chel. Money judgments: installment payments.

Existing law provides that where the judgment or order in a municipal or justice court, in an action where the defendant has appeared, is for the payment of money by the defendant, the defendant shall pay the judgment immediately or on such terms and conditions as the court prescribes, including installment payments. Under existing law, every court has the power to amend and control its process and orders to make them conformable to law and justice.

This bill would specify that a municipal or justice court may amend the terms and conditions for payment of a judgment or order at any time to provide for installment payments for good cause after a motion by a party and notice to all affected parties, regardless of the nature of the underlying debt, and whether the moving party appeared before entry of such judgment or order.

Ch. 72 (SB 18) Alquist. Mental Health.

Existing law establishes a system of state mental hospitals. The clinical director of each state hospital is responsible for the supervision of clinical training subject to the rules and regulations of the State Department of Health. An applicant for a psychiatric technician's license is required to complete a prescribed course of study and training in an accredited school or a course equivalent to the minimum requirements of an accredited program for psychiatric technicians.

This bill would require each state hospital to maintain in-service training programs for state hospital personnel. It would also require the State Department of Health to establish to the extent necessary in state hospitals a course of study and training equivalent to the minimum requirements of an accredited program for psychiatric technicians in the state. An applicant for a psychiatric technician's license would be required to complete a course of study and training which includes clinical inpatient experience at a state hospital, except where the Board of Vocational Nurse and Psychiatric Technician Examiners finds that such requirement is not feasible for specified reasons.

Additionally, the bill would require the department to make reports to the Legislature regarding a specific staffing study, to staff state hospitals to meet such study's standards or any modified version of such standards, and to make a report to the Legislature regarding the adequacy of the standards.

The bill would take effect immediately as an urgency statute.

Ch. 73 (SB 157) Johnson. Removal of parked or abandoned vehicles.

Existing law permits regularly employed and salaried employees of cities and counties who are engaged in directing traffic or enforcing parking regulations to remove vehicles from highways (other than freeways) under various circumstances

This bill would permit such employees also to remove vehicles under the following additional circumstances:

- (1) From bridges or tunnels, when the vehicle could obstruct traffic.
- (2) When any vehicle is parked or left standing on a highway in such a condition so as to create a hazard to other traffic.
- (3) When any vehicle that is reported stolen or embezzled is found on a highway
- (4) From a freeway right-of-way, when the vehicle is unattended for more than 4 hours.
- (5) When the person in charge of the vehicle is so incapacitated as to be unable to provide for its custody or removal.

(6) When any person driving or in control of a vehicle is arrested and taken before a magistrate

(7) When any vehicle registered in a foreign jurisdiction is known to have 5 or more notices of parking violations to which the owner or person in control of the vehicle has not responded

(8) When any vehicle without license plates or other evidence of registration is found illegally parked.

The bill also would make various conforming and technical changes

Ch 74 (SB 102) Johnson Irrigation district assessments.

Existing law permits a person having an interest in any land within an irrigation district to petition for a special rate of assessment if his land or a described portion of it was irrigated from works other than that of or proposed for the district when the land became part of the district, and it has continuously been so irrigated

Existing law also requires the special rate to be determined by a noticed hearing and based upon benefits received, or to be received by, the land from the district, and the special rate is terminable on notice to the owners to show cause why such rate should not be changed.

This bill would, in addition to present law, provide that a person having an interest in any land within only the Anderson-Cottonwood Irrigation District may petition for a special rate of assessment which shall be granted if his land or a described portion of it is used for residential or commercial purposes and has, for 5 years immediately prior, been irrigated or supplied water wholly or partially from a water system not owned or operated by the district, or if his land or a described portion of it has, for 5 years immediately prior, never received water service from the district and there is no plan for future service from the district, or if his land or a described portion of it was, for 5 years immediately prior, served with water received from wells not owned, maintained, or operated by the district and which land and wells are not supplied water of any nature from the district.

The bill would declare the necessity for a special act applicable only to Anderson-Cottonwood Irrigation District.

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor any appropriation made by the act for a specified reason.

The bill would go into immediate effect as an urgency statute.

Ch. 75 (SB 140) Presley. Local health officers: fees.

Under existing law, any city, county, or city and county is authorized to prescribe such fees as will pay the reasonable expenses of the local health officer for enforcement activities when the expenses of the health officer in enforcement of any statute, order, quarantine, rule or regulation prescribed by a state officer or department relating to public health are not met by any fees prescribed by the state.

This bill would specify that any city, county, or city and county may prescribe such fees when the expenses of the health officer in the enforcement of any statute, order, quarantine, rule or regulation prescribed by a state officer or department relating to public health, which either requires or authorizes the health officer to perform specified acts, are not met by any fees prescribed by the state.

Ch. 76 (SB 192) Cusanovich. Improvement Act of 1911: assignment of warrants, assessments, and diagrams

Existing law provides that, in performing contracts financed by assessments under the Improvement Act of 1911, the contractor has a lien on such assessments to pay for the contract work. Existing law also authorizes the contract to provide for assignment of the warrants, assessment, and diagram by the contractor to the legislative body of the contracting public entity and progress payments to the contractor from such public entity. Existing law restricts such assignment to contracts where the assessable portion thereof does not exceed \$50,000.

This bill would increase the limitation to \$100,000 on such contracts.

Ch 77 (AB 276) Chappie Vehicles. tires. tread groove depth.

Existing law prohibits the sale and use of pneumatic tires that have become worn, as specified in terms of tire tread depth requirements, or that do not comply with specified regulations relating to safety standards. With respect to tires used on a farm labor bus or truck, a schoolbus, a motortruck of 3 or more axles, a truck tractor, a bus, various types of towed vehicles, and a trailer coach, all as specified, the Department of the California Highway Patrol is authorized to adopt more stringent tire tread depth requirements.

This bill would authorize the department, if it determines that such action is appropriate and in keeping with reasonable safety requirements, to adopt regulations establishing tread depth requirements for tires used only on a farm labor bus or truck or a schoolbus that are more stringent than those specified by statute, and to adopt regulations establishing tread depth requirements for tires used on all the other vehicles specified above that are different from (rather than more stringent than) those specified by statute.

This bill would make additional changes in Section 27465, Vehicle Code, proposed by Senate Bill 277, to be operative only if Senate Bill 277 and this bill are chaptered, and this bill is chaptered last.

This bill would take effect immediately as an urgency statute.

Ch 78 (AB 314) Chappie Water supply allocations.

Existing law provides for apportionment of water for irrigation purposes from irrigation districts to land for which applications were submitted on the basis of the ratio which the last assessment against a parcel of land for district purposes bears to the whole sum assessed in the district for district purposes. Where water charges constitute more than one-half of a California water district's revenue, such district may proportionally reduce water delivery for which applications were submitted.

This bill, in addition to existing provisions of law, would permit irrigation districts in which the facilities do not volumetrically measure substantially all agricultural water, in years of inadequate water supply as specified, to establish the annual water requirements in the district for growing each type of crop grown in the district and to base such allocation, in the manner specified, on the crop acreage proposed by the landowner to be grown in the annual application for water service, and the periodic irrigation runs required for such crop.

The bill would also authorize California water districts which do not have volumetric measuring facilities to measure substantially all agricultural water to be delivered, which district concludes that the available water supply will be inadequate to serve all land entitled to service that will probably desire such service, to determine the annual requirement for water to grow each crop grown or likely to be grown in the district. The district, in such event, would be authorized to determine the acreage of each crop that each land title holder or his duly authorized agent or tenant may irrigate with district water, as specified. In such event, the district would also be authorized to limit the acreage of each crop that such person may irrigate with district water to such maximum acreage or acreages so determined and to refuse to deliver water to, or assess penalties on, such person who uses district-delivered water on a greater acreage of such crops.

The bill would specify that, in either type district, these provisions provide a means of measuring the allocation of water to lands based on the type of crop grown and do not authorize a district to designate the crops to be grown on such land.

This bill would take effect immediately as an urgency statute.

Ch 79 (AB 369) Hart. Elementary school districts; governing board members

Under existing law, elementary school districts having governing boards of 3 members are either authorized or required, depending upon their average daily attendance, to increase their boards to 5. The 2 additional members are elected at the next regular governing board member election following action taken to increase the size of the board. The one receiving the higher number of votes holds office for a term of 4 years from April 1st succeeding the election, and the other one shall hold office for a term of 2 years under the same conditions.

This bill would provide instead that the 2 additional members are to be elected at an upcoming regular election date, as determined.

This bill would take effect immediately as an urgency statute.

Ch. 80 (AB 403) Knox. Health care service plans.

The Knox-Keene Health Care Service Plan Act of 1975 provides that a health care service plan registered under the former Knox-Mills Health Plan Act on June 30, 1976, may continue to operate under the former Knox-Mills Health Plan Act until the Commissioner of Corporations grants or denies its application for registration under the Knox-Keene Health Care Service Plan Act of 1975. Each such health care service plan was required to pay the annual assessment prescribed by the commissioner under the Knox-Keene Health Care Service Plan Act of 1975 for the 1976-77 fiscal year.

This bill would exempt health care service plans which have not yet been licensed under the Knox-Keene Health Care Service Plan Act of 1975 from further reregistration or assessment under the Knox-Mills Health Plan Act. The bill would subject such health care service plans to specified reporting requirements and continued annual assessment under the Knox-Keene Health Care Service Plan Act of 1975.

This bill would go into immediate effect as an urgency statute.

Ch. 81 (AB 421) Fenton. Labor, industrial safety.

Existing law specifies that the Agriculture and Services Agency is the state agency designated to be responsible for administering the state's occupational safety and health state plan, with such responsibility being exercised through the Department of Industrial Relations. All enforcement and rulemaking authority is in the department.

This bill would remove the Agriculture and Services Agency as the designated state agency and specify the Department of Industrial Relations in its place.

Ch. 82 (AB 729) N. Waters. School buildings: Field Act.

Currently, the law prohibits, with certain exceptions, the use, after June 30, 1975, of school buildings which do not conform to the structural standards of the so-called Field Act.

This bill would permit the continued use of 2 named elementary schools of the Lodi Unified School District and of a continuation high school of the Sacramento City Unified School District until the completion of replacement facilities, or until December 31, 1977, whichever occurs first, and would exempt the 2 elementary schools and the continuation high school from provisions of the so-called Field Act during the period of such continued use.

This bill would take effect immediately as an urgency statute.

Ch. 83 (AB 587) Miller. School buildings: Field Act

Currently, the law prohibits, with certain exceptions, the use, after June 30, 1975, of school buildings which do not conform to the structural standards of the so-called Field Act.

An exception exists in the case of a school district which has let a contract for the replacement of a nonconforming school building and the State Allocation Board has authorized the continued use of the nonconforming building pending its replacement. Under such circumstances, the State Allocation Board may authorize the continued use of the nonconforming building only until completion of the replacement facilities, or until June 30, 1977, whichever occurs first.

This bill would permit the State Allocation Board to grant a further extension of the use of a nonconforming high school building in the case of a city unified school district which maintains only one other high school and has commenced construction of replacement facilities which are estimated to be completed and ready for occupancy during the 1977-78 school year. The bill would permit such extended use to continue until completion of the replacement facilities, or until June 30, 1978, whichever occurs first.

This bill would take effect immediately as an urgency statute.

Ch. 84 (SB 317) Dennis E. Carpenter. School buildings: Leased: Field Act

Under current law, buildings which do not comply with the so-called Field Act may be leased for general school purposes only if they are "temporary use buildings," which may be leased for only 3 years.

This bill would permit the continued use of certain leased facilities until June 30, 1978, under specified conditions for use as an alternative high school and would exempt the leased facilities from compliance with the provisions of the Field Act, and would permit

the continued use of the leased facilities as a temporary school building after June 30, 1978, if the building complied with Field Act structural standards which were in effect at the time of the building's initial construction

This bill would take effect immediately as an urgency statute

Ch. 85 (AB 364) Fazio. Community services districts.

Existing law does not provide for inclusion of additional lands in either improvement districts of community services districts, or zones of community services districts, after an improvement district or zone has been formed.

This bill would establish such a procedure, as follows:

The board of directors of the community services district would initiate proceedings. This would be followed by specified notice to affected parties, a public hearing would be held and protests, if any, would be reviewed.

If no majority protest is received, the board within 30 days of the hearing, would either disapprove or order the annexation. If the board orders the annexation, certain procedures specified in the bill would be followed which in some cases would involve a confirmation by the voters upon the question of such annexation.

If all landowners within the territory proposed to be annexed have given written consent to annexation, the board could order annexation without notice, hearing or election

After adoption of a resolution approving or confirming annexation, specified filings would be made.

Territory annexed to either an improvement district or zone of a community services district would be subject to existing indebtedness of the improvement district or zone from the date of filing with the county assessor.

Existing law provides for zones within community service districts so long as each zone contains a minimum of 100 registered voters

This bill would provide that all powers and duties of the district may be exercised on behalf of or within any such zone and delete the requirement of 100 registered voters to form a zone.

The bill would take effect immediately as an urgency statute

Ch. 86 (AB 395) Gualco. Water supply loans.

(1) Existing law authorizes certain special districts and other public agencies which distribute water to enter into contracts or agreements with the federal government for a water supply or for financing of facilities for a water supply

This bill would authorize public water agencies, as defined, which agencies may otherwise enter such agreements or contracts with the federal government, and which must otherwise submit such agreements or contracts to an election, to apply for, enter into, provide for the repayment together with interest thereon, and use funds from, agreements for drought relief financing, pursuant to P L 95-18, any other federal act subsequently enacted during 1977, as specified, or any existing federal relief programs receiving budget augmentation in 1977 for drought assistance, upon an affirmative vote of $\frac{2}{3}$ of the members of the governing body as an alternate method to submitting the proposal to an election, unless otherwise prohibited by the California Constitution or unless a petition, as specified, is presented to the governing board, and provided certain specified conditions exist. The bill would require any obligation to repay loans to be expressly limited to revenues of the system improved by the proceeds of the contract

The bill would provide that no applications for such federal funds pursuant to such provisions shall be made on or after March 1, 1978

Under existing law, the Department of Water Resources is authorized to make loans in calendar years 1976 and 1977 in amounts of not more than \$100,000, and an aggregate of not more than \$2,000,000, to public agencies, as defined, with less than 100,000 population on specified terms and conditions to provide emergency services needed to maintain water supplies in drought situations

This bill would extend such authorization through the calendar year 1978, would increase the maximum amount of such a loan to \$200,000, would permit a public agency with up to 200,000 population to qualify, and would delete the \$2,000,000 limit on the aggregate amount of such loans

Under the California Environmental Quality Act, all public agencies, state and local

are generally required to prepare or cause to be prepared by contract, and certify the completion of, an environmental impact report on any discretionary project they propose to carry out or approve which may result in a substantial, or potentially substantial, adverse change in the environment

This bill would exempt from the requirements of the California Environmental Quality Act, until March 1, 1978, a drought relief project which is funded by P.L. 95-18, or other federal acts enacted in 1977, as specified, which will develop or conserve water before October 31, 1978, which will be completed by the date required under the federal act but not later than March 1, 1978, and which meets other specified conditions.

The bill would take effect immediately as an urgency statute.

Ch. 87 (SB 223) Presley. Parental liability.

Existing law imputes injury to another caused by the discharge of a firearm by a minor under the age of 15 years to the parent or guardian having custody or control of the minor for all purposes of civil damages, under designated circumstances. It also limits such liability to \$15,000 for injury or death of one person as a result of any one occurrence, or \$30,000 for the injury or death of all persons as a result of any one occurrence.

This bill would raise the age of the minor from under 15 to under 18 years of age for purposes of imputing such liability.

Ch. 88 (AB 373) McVittie. Testamentary trusts.

Under existing law, the court may appoint a person to fill a vacancy in the office of trustee under a will. Such appointment may be made only after notice to all parties interested in the trust is given as required upon a petition for the probate of a will.

Existing law provides for notice upon a petition for the probate of a will by publication or posting and by personal service or mailing.

This bill would provide that an appointment of a trustee under a will to fill a vacancy may be made after notice by personal service or mailing.

Ch. 89 (SB 76) Stull. Public meetings.

Existing law provides that the legislative body of a local agency shall publicly report at a subsequent meeting any action taken with regard to specified personnel actions taken at an executive session of the legislative body.

This bill instead provides that the legislative body of a local agency shall publicly report at its next public meeting any such action.

Ch. 90 (AB 320) Craven. Local agency formation commissions.

Existing law contains no specific time limit with regard to the time within which specified persons may file written application for changes in resolutions of local agency formation commissions (lafcos).

This bill would provide that such application must be made within 60 days after adoption of the resolution.

Existing law provides that a lafco may make certain determinations without notice and hearing.

This bill would include other determinations among those that may be made without notice or hearing.

Existing law provides that written applications may be filed by various persons who wish to change a commission resolution and that the commission may take certain actions with regard thereto.

This bill would provide that a determination made by the commission would be final and conclusive.

Existing law provides for a majority protest when written protests are filed which represent either 50% of the assessed value of the land or 50% of the voters.

This bill would provide for a majority protest only upon the filing of written protests by 50% of the voters.

Existing law provides that any change of organization or reorganization may provide for or be made subject to certain specified terms and conditions. One of the terms permitted is the apportionment among affected entities of liability for payment of bonds.

This bill would include "affected territory," as defined, among such entities and provide that certain of the changes made are declaratory of existing law.

Ch. 91 (AB 548) M Waters. Suits to quiet title

Existing law permits a suit to quiet title against a governmental agency to which a dedication of land for public improvement has been made by map. The law creates a conclusive presumption, with regard to such quiet title suit, that a dedication was not accepted where (1) the map was not endorsed, (2) the land has not been used for a period of 25 years for the purpose for which the dedication was proposed, and (3) the land has been sold to a third person after the map was filed and used as if free of the dedication.

This bill would delete as a criteria for the creation of such conclusive presumption the condition that an acceptance not be endorsed on the map and would substitute therefor a condition that there must have been no acceptance made and recorded within 25 years after the dedication has been made by map.

The bill would also specify a legislative finding and declaration that, as to the manner of acceptance of a dedication of land for public improvement by map, the bill does not make a substantive change.

Ch. 92 (AB 1783) V Thomas Commercial fishing: Pacific mackerel

Under existing law, Pacific mackerel may not be taken or possessed except that loads or lots of fish may contain 18% or less by weight of Pacific mackerel taken incidentally to other fishing operations, and except that the Department of Fish and Game may establish a harvest quota and issue permits for the taking of Pacific mackerel whenever it determines that the spawning population in specified waters is in excess of specified amounts.

This bill would, on the effective date of the bill, increase the amount of Pacific mackerel which may be incidentally taken in any load or lot of fish to 40% and would exempt any load of under 3 tons from any limitation as to the amount of Pacific mackerel, but would require any amount taken in excess of 18% or as a load of under 3 tons to be computed as part of the harvest quota. The bill would authorize the Director of Fish and Game to suspend such increased limits when the harvest quota has been reached, would authorize the director to reestablish such increased limits under specified conditions, and would prohibit the issuance of permits to take Pacific mackerel under the special harvest quota when such increased limits are in effect.

The bill would go into immediate effect as an urgency statute.

The bill further provides that its provisions are effective only until January 1, 1978, and that on such date the law as it read prior to the enactment of this bill shall again become effective.

Ch. 93 (SB 158) Zenovich. Civil actions: general denials

Existing law permits a defendant to file a general written denial and a brief statement of any new matter constituting a defense, in lieu of a demurrer or other answer, in any action in which the demand, exclusive of interest, or the value of the property in controversy does not exceed \$750.

This bill would raise the above limitation from \$750 to \$1000.

Ch. 94 (AB 323) Cullen. Mobilehomes: sales

Under existing law, overwidth trailer coaches which may be moved upon the highway under permit, may be displayed as a model home within a mobilehome park, subdivision, planned unit development, or cooperative, for not more than 6 months, unless such park, subdivision, planned unit development, or cooperative has not reached or exceeded 70% occupancy by the end of the 6-month period, in which event the coaches may be displayed for an additional 6-month period.

This bill would revise such provisions by providing instead that mobilehomes may be displayed as a model home within such a place specified above until such place has reached 70% occupancy.

The bill would also permit a mobilehome dealer to be licensed to sell only used mobilehomes at a branch location office without a display area, which is otherwise generally required of a vehicle dealer, as long as specified provisions of the Vehicle Code regarding the providing of information regarding the dealer's name and address of his established place of business are met. Such authorization would, however, be limited to the sale of only a used mobilehome and only at a branch location office which is not

within a mobilehome park

Ch. 95 (AB 854) Knox. Park districts' directors' compensation

Existing law permits regional park district, regional park and open-space district, and regional open-space district directors to be paid the sum of \$50 for each board meeting they attend, with maximum compensation of payment for 2 meetings in any 1 month.

This bill would increase the maximum permissible compensation to \$200 in any 1 month.

Ch. 96 (AB 350) Lockyer. State officers' vacancies in office.

Existing provisions of the California Constitution provide that a vacancy in the office of Superintendent of Public Instruction, Lieutenant Governor, Secretary of State, Controller, Treasurer, or Attorney General, or on the State Board of Equalization, is filled by appointment of the Governor for the balance of the unexpired term, and requires confirmation by a majority of the membership of both the Senate and Assembly. Existing constitutional provisions also provide that in the event the nominee is neither confirmed nor refused confirmation by both the Senate and Assembly within 90 days of the submission of the nomination the nominee shall take office as if he or she had been confirmed by a majority of the Senate and Assembly; provided that if such 90-day period ends during a recess of the Legislature, the period shall be extended until the sixth day following the day on which the Legislature reconvenes.

This bill would conform statutory provisions to the above constitutional provisions. In addition, this bill would provide that, prior to the filling of a vacancy in the above constitutional offices pursuant to the above provisions, the duties of the office shall be discharged by the chief deputy to the constitutional officer.

Ch. 97 (AB 913) McAlister. Savings and loan associations

Existing regulations of the Savings and Loan Commissioner permit savings and loan associations to issue investment certificates or withdrawable shares for fixed terms and bearing fixed returns which are evidenced by marketable certificates of deposit

This bill would make ~~statutory~~ * that regulation.

Existing regulations of the Savings and Loan Commissioner permit associations to make loans, advances of credit or invest in interests therein, in the security of residential real property which are not otherwise authorized under the law for specified reasons. Existing regulations also permit associations to make, purchase or invest in loans directly for constructing, adding to, improving, altering, repairing, equipping or furnishing what is or is expected to become residential real property, where the association relies substantially for repayment on the borrower's general credit standing.

This bill would enact into statute those regulations.

Ch. 98 (SB 176) Marks. Asbestos: buildings and structures.

Existing law prohibits any person from causing or permitting the spraying of any substance containing any amount of asbestos in or upon a building or other structure during construction, alteration, or repair except for prescribed statutory exceptions.

This bill would require any building department of any city, county, city and county, or other enforcement agency charged with issuance and enforcement of building permits to revoke a building permit if asbestos is being applied in violation of such existing law or require that corrective action be taken.

The bill would provide that there will be no reimbursement nor appropriation for any local agency for any costs incurred pursuant to this act because of a specified reason.

This bill would take effect immediately as an urgency statute

Ch. 99 (AB 261) Valencia. Automobile dismantlers' suspension or revocation of license.

Existing law authorizes the Department of Motor Vehicles to suspend or revoke an automobile dismantler's license for any cause specified as grounds for refusal to issue such a license. Conviction of a felony or a crime involving moral turpitude is specified as grounds both for suspension or revocation and for refusal to issue a license.

This bill would delete conviction of a felony or such a crime from the section of existing law that specifies grounds for suspension or revocation. However, because such a conviction would remain grounds for refusal to issue a license, a license could therefore be

suspended or revoked pursuant to provisions permitting suspension or revocation for any cause specified as grounds for refusal to issue a license. The bill would also make technical changes

Ch 100 (AB 578) W. Thomas. California State University and Colleges: Nonacademic employees; leaves.

Existing provisions of law specifically authorize the Trustees of the California State University and Colleges to grant a leave of absence without compensation, for not to exceed 1 year, to any nonacademic employee who has been employed for more than 1 year and to such employees with less than 1 year of service if temporarily incapacitated by illness. Upon expiration of the leave of absence granted, the employee is entitled to reinstatement in the position held at the time the leave was granted, if such position is still in existence, or to any other comparable existing vacant position for which such employee is qualified.

This bill would broaden such authority to allow the trustees to grant a leave of absence without compensation to any nonacademic employee regardless of length of service and would delete the provision limiting a leave of absence for a period not to exceed 1 year.

Ch. 101 (SB 385) Nimmo. Schools: continuous school programs.

Under current law, a school district governing board must publish its intention to operate a mandatory continuous school program no later than November 1 of the school year prior to the school year in which the program is to be established

This bill would permit a continuous school program to be established and operated by the Soledad Union Elementary School District in Monterey County for the 1977-78 school year without meeting such publishing requirement if the governing board finds that a school housing emergency exists and that the continuous school program would reduce the effects of such emergency, upon the recommendation of a community-based study group.

This bill would take effect immediately as an urgency statute.

Ch 102 (AB 374) Lanterman. Power brakes. definition.

Existing law defines "power brake" as any braking gear or mechanism that aids in applying the brakes of a vehicle and which uses vacuum, compressed air, or electricity for that purpose.

This bill would extend that definition to include power brakes that use hydraulic pressure developed by the motive power of the vehicle.

The bill would take effect immediately as an urgency statute

Ch. 103 (SB 146) Alquist. Property tax exemption.

Under existing property tax law, there is no exemption for taxation of property on the basis that property is used as a solar energy system.

This bill would exempt from property taxation any equipment which is attached to a residential or nonresidential building or swimming pool as part of a solar energy system. Such exemption would apply only to lien dates for fiscal years commencing in 1979 to 1983, inclusive

This bill would prohibit the reimbursement of property tax revenues lost by reason of the property tax exemption contained in this act pursuant to Section 2229 of the Revenue and Taxation Code, for a specified reason.

This bill would also specify that there are no state-mandated local costs in this act that require reimbursement under Section 2231 of the Revenue and Taxation Code, because there are no new duties, obligations or responsibilities imposed on local government by this act.

This bill would become operative only if Senate Constitutional Amendment No. 15 of the 1977-78 Regular Session of the Legislature is approved by the voters at the primary election to be held in 1978.

Ch 104 (AB 119) Fazio. Fines and forfeitures: distribution.

Existing law requires 28% and 31%, respectively, of fines and forfeitures from Dixon and Fairfield law enforcement activities to be transferred to Solano County.

This bill would change both such amounts to 18%

The bill would also provide that no appropriation or reimbursement shall be made to any local agency.

Ch 105 (AB 188) Deddeh Vehicles. temporary identification devices, display of notice of transfer

(1) Under existing law, vehicle dealers are authorized by the Department of Motor Vehicles to use a report of sale form and a temporary identification device upon vehicles they sell, pursuant to rules and regulations prescribed by the department. New and used vehicles sold by a dealer which are not licensed in this state may be temporarily operated without license plates or registration cards (and, with respect to used vehicles licensed in this state, temporarily operated without registration cards) under specified conditions. One such condition is that a copy of the report of sale form and the temporary identification device be affixed to the vehicle upon delivery to a purchaser.

This bill would delete the provisions regarding temporary identification devices, thus making their use no longer required

(2) Under existing law, a currently registered vehicle which is owned and operated by a licensed vehicle dealer may be operated without special plates (which are otherwise generally required for the operation of an unregistered vehicle by a dealer), if the former owner of the vehicle has forwarded a notice of transfer to the department and a copy of the notice is displayed upon demand of a peace officer.

This bill would require that a copy of the notice be displayed in a conspicuous manner on a vehicle which is a motorcycle or a motor-driven cycle, and, with respect to other vehicles, in the lower right-hand corner of the windshield of the vehicle; rather than displayed upon demand of a peace officer

(3) The bill would delete an obsolete provision of existing law regarding the issuance of special plates to a vehicle dealer, manufacturer, transporter, manufacturer branch, distributor, or distributor branch.

(4) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

Ch. 106 (AB 213) Fenton. Employee benefits: superior and municipal courts

Existing law provides that judges of the superior and municipal courts and the officers and attachés of those courts whose salaries are paid in whole or part by the county are county employees for purposes of the county group insurance plans.

This bill would provide that these judges and officers and attachés shall be subject to the same or similar obligations and be granted the same or similar benefits as presently required or granted to employees of the county in which the court is located.

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor any appropriation by this bill for a specified reason.

Ch. 107 (SB 327) Beverly. Grand juries: audits.

Under existing law the board of supervisors is required to audit the accounts of officers having certain fiscal duties.

This bill revises such provisions to provide that the board of supervisors may coordinate the audit with a similar audit made by the grand jury, or accept the grand jury's audit in lieu of its own. It would also provide that the audit may be made by an independent accountant employed by the board.

Under existing law the grand jury examines accounts and records of county officers and reports to the board of supervisors. Existing law requires each officer to be audited at least every 4 years.

This bill provides for an investigation and report to the grand jury on the operations, accounts, and records of the officers, departments, or functions of the county, and provides for the coordination of the grand jury's investigation with the audit done by the board of supervisors. It deletes the requirement that an examination be done every 4 years.

Under existing law, when the grand jury makes an audit of the records of the county assessor, it may employ expert auditors or appraisers no later than March 1. This bill deletes the requirement that such persons be employed no later than March 1.

Under existing law the grand jury must submit its final report pertaining to fiscal matters of county government no later than 3 months after the end of the fiscal year. This bill requires such reports no later than 6 months after the end of the fiscal year.

Ch. 108 (SB 423) Garamendi Commission on Peace Officer Standards and Training

Existing law provides that 5 members of the Commission on Peace Officer Standards and Training will constitute a quorum of the commission

This bill would provide that a majority of the members of the commission, rather than 5 members, will constitute a quorum. It would also make certain technical, nonsubstantive changes.

Ch. 109 (AB 1701) Chappie Schools: revenue limit elections

Existing law restricts the times at which school district elections may be conducted, to four specified dates

Notwithstanding the dates otherwise specified, this bill would permit an election to be held on June 28, 1977, on the question of increasing the revenue limit of the Maxwell Unified School District.

The bill would take effect immediately as an urgency statute.

Ch. 110 (AB 51) Fenton. Veterans: Cal-Vet loans

Existing law generally requires a 5% initial payment on a home under the Cal-Vet program, permits the Department of Veterans Affairs to expend up to \$35,000 or, in the case of property subject to a participation contract, \$35,000 or 95% of market value, whichever is lower, for the purchase of a home, prohibits the department from acquiring a home where the market value of the improvements exceeds \$45,000, and limits the sum expended by the department for the construction of a home to \$30,000.

This bill would revise these provisions as follows:

(1) It would continue the 5% downpayment requirement only for homes costing more than \$35,000 to the department, and would require a 3% downpayment for those costing \$35,000 or less.

(2) It would allow the department to expend up to \$43,000 for a home and would delete the limitation of \$35,000 or 95% on the purchase of property subject to a participation contract.

(3) It would permit the department to acquire a home where the market value of the improvements is not more than \$53,000.

(4) It would permit the department to expend up to \$43,000 for construction of a home.

The bill would take effect immediately as an urgency statute.

Ch. 111 (SB 718) Nejedly. Medi-Cal: State Department of Health: Appropriation.

The Budget Act of 1976 contains an item of appropriation to provide for the state's share of Medi-Cal Program expenditures for medical care and services.

This bill would appropriate \$28,614,700, in augmentation of such item, to the Department of Finance for allocation to the State Department of Health for the purpose of meeting estimated increases in costs in the Medi-Cal Program

The bill would take effect immediately as an urgency statute.

Ch. 112 (AB 566) W. Thomas. Oil, gas, and geothermal wells

(1) Existing law requires every person engaged in the drilling, redrilling, or deepening of oil or gas wells, or in any operation permanently altering in any manner the casing of any well, to file with the State Oil and Gas Supervisor an individual indemnity bond for a single well in the amount of \$25,000, or a blanket indemnity bond in the amount of \$250,000 for operations involving one or more wells at any time. Any such bond issued before January 1, 1978, may be terminated and canceled when the well or wells covered by such bond have been properly completed or abandoned or another valid bond has been substituted therefor, but any such bond issued on or after January 1, 1978, may be terminated and canceled only when the well or wells covered by such bond have been properly abandoned or another valid bond has been substituted therefor.

This bill would revise the amount of an individual indemnity bond to \$10,000 if the well is less than 5,000 feet deep, \$15,000 if at least 5,000 feet but less than 10,000 feet deep, and \$25,000 if 10,000 or more feet deep, would change the amount of a blanket indemnity bond to \$100,000, and would make related changes. The bill would require a blanket indemnity bond of \$250,000 for operations involving one or more wells located on

submerged lands under ocean waters within the jurisdiction of the state. The bill would permit an indemnity bond, whether issued before or after January 1, 1978, to be terminated and canceled when the well or wells covered by such bond have been properly completed, as defined, and would make related changes.

(2) Existing law requires every person engaged in the drilling, redrilling, deepening, maintaining, or abandoning of geothermal wells and any person who acquires the ownership or operation of geothermal wells to file with the supervisor an individual indemnity bond in the amount of \$25,000 or a blanket indemnity bond in the amount of \$250,000 for any number of wells.

This bill would reduce the amount of a blanket indemnity bond to \$100,000 and would permit the filing, in the case of a low temperature geothermal well, of an individual indemnity bond in the sum of \$10,000 for each well less than 5,000 feet deep or \$15,000 for each well at least 5,000 feet but less than 10,000 feet deep.

(3) Existing law also authorizes the supervisor to order specified work to be carried out in connection with any oil or gas well which he determines to be a hazardous well. Existing law defines a hazardous well as a well that has been determined by the supervisor to pose specified hazards and with respect to which the last person that had an economic interest in, or received any benefit from, the well is deceased, defunct, or no longer in business in California, or any other person that has or had an economic interest in, or received benefit from, the well derives or derived only insubstantial benefit or little or no financial gain and would suffer severe economic hardship if regulatory abatement were imposed.

This bill would redefine a hazardous well, for such purposes, as a well that has been determined by the supervisor to pose such hazards and with respect to which the last operator that had an economic interest in, or received any benefit from, the well is deceased, defunct, or no longer in business in California, and the present surface owner and mineral estate owners derived no substantial financial gain. The bill would also include certain idle deserted wells, as defined, within certain legislative findings as to hazardous wells.

(4) Under existing law, the Department of Conservation is required, by March 1 of each year, to make an estimate of the amount of money necessary to carry out the duties of the department relative to the regulation of the production of oil and gas in the succeeding fiscal year for the purpose of determining the charge to be levied on the production of oil and gas.

This bill would change the date to June 15 of each year and provide for the adjustment of the estimate of such amount of money by the current and prior fiscal years' savings or increased expenditures.

The bill would take effect immediately as an urgency statute.

Ch. 113 (AB 1817) Boatwright. Emergencies: appropriation.

The Budget Act of 1976 appropriated money for expenditure, upon written authorization of the Department of Finance, for emergencies.

This bill would appropriate \$11,550,000 in augmentation of that appropriation, of which sum, not more than \$1,550,000 would be required to be allocated to the Legislative Counsel Bureau for expenditure for specified costs and payment of fire losses.

The bill would take effect immediately as a statute providing an appropriation for the usual current expenses of the state.

Ch. 114 (AB 1846) Dixon. Appropriation: salary increases for state officers and employees.

The Budget Act of 1976 contains an item of appropriation for increases in compensation for state officers and employees whose compensation is payable from special funds.

This bill would appropriate \$6,100,000 from such special funds, in augmentation of such item, to the Department of Finance for allocation by the department for salary increases for such officers and employees.

The bill would take effect immediately as a statute providing an appropriation for the usual current expenses of the state.

Ch. 115 (SB 526) Mills. Medi-Cal: State Department of Health, appropriation.

The Budget Act of 1976 contains an item of appropriation to provide for the state's share of Medi-Cal Program expenditures for medical care and services.

This bill would appropriate \$5,631,878, in augmentation of such item, to the Director of Finance for allocation to the State Department of Health in order to avoid an anticipated deficiency in Medi-Cal funds.

The bill would take effect immediately as an urgency statute.

Ch. 116 (SB 73) Rodda. Sacramento County sanitation districts: boards of directors.

Existing law provides for county sanitation districts which are governed by boards of directors. The composition of a board of directors is provided by existing law depending upon the existence of other public entities in the sanitation district.

This bill would require each county sanitation district in Sacramento County to reconstitute its board of directors to consist of the county board of supervisors and, where territory of the sanitation district includes territory which is within a city or cities, the presiding officer of such city or cities, unless the governing body of the city designates a member of the board of supervisors to serve as its representative, as specified.

The bill also would declare the necessity for a special statute.

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor appropriation made by this act for a specified reason.

Ch. 117 (SB 143) Dunlap. Private schools: work permits.

Under existing law, a school district superintendent, or a person authorized by the superintendent, may issue a work permit to allow the employment of a minor who is otherwise subject to compulsory school attendance.

This bill would permit the superintendent of any school district to designate a person having charge of a private school within the district to issue work permits to pupils of the school under the same conditions applicable to public school pupils. With respect to pupils not residing within the jurisdiction of such a superintendent, the county superintendent of schools would be authorized to make the designation.

Ch. 118 (SB 226) Johnson. Pests: weed control: Austrian field cress.

Under the existing law, the Austrian field cress, in addition to other plants, is designated as a public nuisance. The law requires the Director of Food and Agriculture to eradicate the Austrian field cress wherever it exists in this state, with the costs of such eradication to be borne by the state, county, and owner of land, as prescribed, and authorizes a board of supervisors to direct its county agricultural commissioner to proceed with the abatement of the Austrian field cress.

This bill would remove the Austrian field cress from the designation of a public nuisance and remove it from the provisions relating to its eradication and abatement.

Ch. 119 (SB 260) Nimmo. Community services districts, standby and availability charges.

Existing law provides for fixing of water standby or availability charges in community services districts not to exceed \$10 per year per acre of land or \$6 per year per parcel of land less than 1 acre, as specified.

This bill would change the maximum of such standby or availability charge on parcels less than 1 acre to \$10 per year and authorize such a district to have such assessments collected on the tax roll with its general taxes. The bill would also make conforming changes for such collection.

The bill would take effect immediately as an urgency statute.

Ch. 120 (SB 310) Johnson. State Park and Recreation Commission: hearings.

Existing law permits the State Park and Recreation Commission to hold hearings on specified matters in, or within a 100-mile radius of, only the Cities of San Diego, Los Angeles, San Francisco, Fresno, and Sacramento.

This bill would permit the commission also to hold hearings in, or within a 100-mile radius, of the Cities of San Bernardino, Eureka, and Redding. However, the bill would require that Eureka and Redding be considered as a single location for hearings and would prohibit holding more than one hearing in any year at that location.

The bill would take effect immediately as an urgency statute.

Ch. 121 (SB 431) Rains. Counties: judicare program.

Existing law permits the Santa Barbara County board of supervisors to annually appropriate a sum not to exceed \$10,000 to the Legal Aid Society of that county to defray the costs of legal representation to the poor pursuant to the selection of Santa Barbara County as a demonstration staff-attorney-judicare program sponsored by the State Bar of California.

This bill would repeal these provisions.

Ch. 122 (SB 441) Beverly. Administrative Procedure Act.

Presently, the law lists by name the state agencies subject to the Administrative Procedure Act.

This bill would revise and update this listing

Ch. 123 (SB 466) Garcia. District agricultural associations: boundaries.

Under existing law, the state is divided into various district agricultural associations. The 48th District Agricultural Association is in a designated portion of Los Angeles County

This bill would modify the boundaries of the 48th District Agricultural Association which would also modify the boundary of the 6th District Agricultural Association (the California Museum of Science and Industry).

This bill would also take effect immediately as an urgency statute.

Ch. 124 (SB 545) Stull. Vehicles: golf carts: local highways.

Under existing law, a local authority may, under specified conditions, designate a highway under its jurisdiction, which is located adjacent to a golf course and between the golf course and the place where golf carts are parked or stored or which is within or bounded by a real estate development offering golf facilities, for the combined use of golf carts and other vehicles. No such highway may be so designated for a distance of more than 1/2 mile from the golf course if such highway is not located within such development or beyond the area of such development.

This bill would change the above distance from 1/2 to 1 mile. The bill would also specify that if operated during darkness, the golf cart shall be subject to provisions of the Vehicle Code which generally provide that golf carts are subject to equipment provisions contained in the Vehicle Code which are applicable to motorcycles.

Ch. 125 (SB 547) Marks. Radiologic technology training.

Under existing law, the State Department of Health is authorized, until July 1, 1977, upon proper application of a licentiate of the healing arts, to approve the licentiate to give on-the-job training, subject to specified conditions, to a student of radiologic technology.

This bill would extend the July 1, 1977, expiration date to July 1, 1978, and permit on-the-job training of radiologic technology students to continue one more year.

This bill would take effect immediately as an urgency statute.

Ch. 126 (SB 970) Gregorio. Regulation of carcinogens.

Under existing law, the Chief of the Division of Industrial Safety in the Department of Industrial Relations is required to adopt a fee schedule to cover inspections for carcinogens which would be applicable to all employers other than public agencies.

This bill would repeal such provision.

The bill would take effect immediately as an urgency statute.

Ch. 127 (SB 1023) Rains. Cemetery districts: lease of surplus lands for recreational purposes.

Existing law empowers public cemetery districts to acquire land for cemetery purposes and, subject to specified conditions, authorizes such districts to use or lease district land not required for immediate cemetery use for agricultural or viticultural purposes. However, nothing in present law authorizes lease of cemetery district lands for recreational purposes.

This bill would authorize cemetery districts to lease district lands not required for

present cemetery use to another public entity for recreational use. The bill would require the district to file with the county clerk a declaration of intent to use such lands for cemetery purposes prior to execution of a lease under the bill and would specify that the bill does not authorize a cemetery district to acquire or retain land not reasonably necessary for the district's future requirements.

Ch. 128 (AB 75) Lockyer. Municipal utility districts: special districts for solid waste resource recovery.

The Municipal Utility District Act authorizes the creation of a special district within the boundaries of a municipal utility district for sewage disposal. The initiation of the creation of a special district may be accomplished by three separate methods, one of which is the filing of a petition signed by a specified number of voters within the proposed special district. All three methods require a hearing on the proposal, the approval of the proposal by the district board, and an election with the proposed special district called and conducted by the board and including any bonded indebtedness proposal deemed necessary by the board for the proposed special district.

This bill would authorize the creation of a special district for solid waste resource recovery, as defined, under the same procedures and conditions applicable to special districts for sewage disposal.

Ch. 129 (AB 169) Craven. Municipal court commissioners

Under existing law, a retired court commissioner of a municipal court in Los Angeles County may be assigned by the presiding judge for temporary service as a commissioner.

This bill would permit the presiding judge of any municipal court to utilize retired court commissioners from Los Angeles and San Diego Counties for temporary service as court commissioners.

The bill makes certain findings declaring that the subject of the bill requires legislative action affecting San Diego County.

The bill would further provide that no state-mandated local costs are imposed on local agencies by this bill.

The bill would take effect immediately as an urgency measure.

Ch. 130 (AB 244) W. Thomas. Teachers' Retirement System, State: benefits.

Existing State Teachers' Retirement Law does not specifically authorize the transmittal of payments to a retiree's, disabilitant's or beneficiary's bank, savings and loan association, or credit union.

This bill would specifically authorize such transmittal.

Ch. 131 (AB 264) Fazio. Property taxation. maps or plats.

Existing law prescribes procedures for the annexation of territory by a city.

Under existing law changes in boundaries of cities annexing territory are not effective for purposes of local assessment and taxation for the fiscal year beginning on the following July 1, unless various statements, resolutions, maps, and plats regarding the boundary changes had been filed by January 1. Instead, provision is made to enable such entities to borrow funds for their support during such fiscal year.

The bill would permit cities annexing territory to have such annexation effective for property tax purposes for the 1977-78 fiscal year if the annexation was completed on January 20, 1977, the territory was detached from a fire protection district on March 3, 1977, and the required documents were filed on or before March 31, 1977.

Existing law continuously appropriates funds to compensate local governments for property tax revenues lost by reason of the homeowners' property tax exemption.

This bill, by authorizing additional property taxes for the 1977-78 fiscal year, would alter this existing appropriation.

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 132 (AB 299) Lehman Agricultural burning

Under existing law, "agricultural burning" is defined, in part, as open outdoor fires used in the growing of crops, the raising of fowl or animals, forest management, range improvement, the improvement of land for wildlife and game habitat, or disease or pest control.

This bill would include in that definition outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes for which outdoor fires are defined as "agricultural burning" under existing law

Ch 133 (AB 305) Stitt. Irrigation district financial reports

Under existing law the treasurer of an irrigation district is required on the first Monday in each month to file in the district office with the secretary a verified written report to the board showing specified financial transactions for the preceding month.

This bill would change the date by which such report must be filed from the first Monday in each month to not later than the third Monday in each month.

Ch. 134 (AB 311) Hayden. Public Employees' Retirement System: membership; compensation.

Existing Public Employees' Retirement Law defines the term "local safety member" as including, among others, an officer or employee of a police or fire department of a contracting agency.

This bill would include an officer or employee of a public safety department within such definition.

Various provisions of existing law define "compensation" for retirement purposes and provide for the exclusion of certain money paid to or on behalf of employees from such definitions

This bill would consolidate such provisions into one definition and in so doing would make several technical, nonsubstantive changes.

Ch. 135 (AB 322) Bannai Arbitration waiver

Existing statutory law makes no provision as to whether the right to arbitrate under an arbitration agreement is waived where a party to such an agreement files an action to enforce a claim of lien under the provisions governing liens on works of improvement. Existing case law does not delineate the factors which are prerequisite to a finding that a waiver of the right to arbitrate has occurred upon filing an action to enforce liens on works of improvement.

This bill would specify that the recordation and filing of an action to enforce a claim of lien in accordance with the statutory provisions governing liens on works of improvement does not constitute a waiver by the claimant of any right to arbitrate under a written arbitration agreement, provided the claimant applies, at the time of filing such action, for a stay of such action pending the arbitration of any arbitrable matter which is relevant to the action.

Ch. 136 (AB 360) Gualco. Public transportation: Sacramento County.

(1) Under the Mills-Alquist-Deddeh Act, an "included municipal operator" is defined, in general, as a city or county which is included, in whole or in part, within a transit district or which has been extended the authority to join a transit district by that district's enabling legislation, and in which city or county public transportation services have continually been provided since at least January 1, 1971, by the city or county.

This bill would define "included municipal operator" to also mean any city within Sacramento County which (a) is outside the activated boundaries of the Sacramento Regional Transit District, (b) contracts with the district for transit services, and (c) provides local transit services within the city that the Sacramento Regional Area Planning Commission annually determines can be better provided by the city than the district, taking into consideration, among other things, specified factors. Such a city would thus be eligible for allocations under that act to provide local transit services within the city.

(2) Under that act, with specified exceptions, the apportionment of a city in Sacramento County served by the district may only be allocated for public transportation purposes

The bill would, in addition, allow the apportionment of such a city to be available for local streets and roads and for payments to the National Railroad Passenger Corporation for passenger rail service. However, not less than 50% of the apportionment of such a city would be required to be allocated for public transportation purposes.

Ch 137 (AB 433) Cordova. Suppression of evidence.

Existing law provides that if a criminal defendant's motion for the return or suppression of property or evidence is granted at the preliminary hearing, the ruling is binding upon the prosecution unless, upon notice to the defendant and the court in which the preliminary hearing was held, the prosecution requests a special hearing in the superior court within 10 days after the preliminary hearing.

This bill would permit the prosecution to request such a special hearing within 15 days after the preliminary hearing.

Ch 138 (AB 449) Young School and community college districts: governing boards meetings

Under existing law, a list of items that will constitute the agenda for meetings of the governing board of any school district or any community college district must be posted where parents and teachers can view them at least 48 hours prior to regular meetings, and at least 24 hours prior to special meetings.

This bill would specify that such provisions do not preclude the taking of testimony at regularly scheduled meetings on matters not on the agenda which any member of the public may wish to bring before the board, provided that no action is taken by the board on such matters at the same meeting at which such testimony is taken.

Existing law provides that until a governing board adopts the minutes of its meetings, such minutes are to be labeled the unadopted minutes. This bill deletes that requirement.

This bill would take effect immediately as an urgency statute.

Ch. 139 (AB 463) Sutt. Sales of real property.

Under existing law, before the sale of real property upon execution, or before any sale of property can be made under the power of sale contained in any deed of trust or mortgage, notice of the sale must be given. The notice must contain, among other things, a description of the property by giving its street address, if any, or other common designation, if any, such as a legal description.

This bill, in addition, would provide that if the property has no street address or other common designation, the notice shall contain the name and address of beneficiary at whose request the sale is to be conducted and a statement that directions may be obtained by written request submitted to the beneficiary within 10 days from the first publication of the notice.

Existing law specifies that if a legal description of the property to be sold is given, the validity of the notice will not be affected if the street address or other common designation is erroneous or is omitted.

This bill in addition, would specify that the validity of such notice and the validity of the sale will not be affected, if a legal description of the property to be sold is given, if the name and address of the beneficiary or the directions obtained from the beneficiary are erroneous or are omitted.

Ch. 140 (AB 502) Chel. Income tax: returns: filing requirements.

The Personal Income Tax Law now sets dollar amounts of adjusted gross income and gross income above which an individual must file a tax return with the Franchise Tax Board.

This bill would revise those adjusted gross income and gross income amounts.

Ch. 141 (AB 544) Duffy. State boards.

Existing law presently provides for the following boards in the Department of Consumer Affairs:

(1) The Board of Dental Examiners of California; (2) the Board of Medical Quality Assurance; (3) the State Board of Optometry; (4) the California State Board of Pharmacy; (5) the Board of Examiners in Veterinary Medicine; (6) the Board of Registered Nursing; (7) the Board of Chiropractic Examiners; (8) the Board of Behavioral Science

Examiners, (9) the Board of Vocational Nurse and Psychiatric Technician Examiners of the State of California; (10) the State Board of Examiners of Nursing Home Administrators, and (11) the Board of Osteopathic Examiners.

Effective July 1, 1977, these boards will all be transferred to the jurisdiction of the Department of Health

This bill would delete provisions transferring these boards to the Department of Health.

This bill would take effect as an urgency statute

Ch 142 (AB 550) Lanterman Property taxation technical errors. validation

Annually in the past, the Legislature has enacted legislation validating various technical or procedural errors or omissions in the functions of taxing agencies and revenue districts

This bill would validate such actions occurring after the effective date of such legislation enacted at the 1976 Regular Session

Ch. 143 (AB 588) W Thomas State Teachers' Retirement System: benefits

Existing State Teachers' Retirement Law permits members to receive retirement credit for accumulated and unused sick leave.

This bill would provide that if a retirant returns to active service the credited sick leave shall not be reinstated and that the retirant can subsequently receive credit for the unused sick leave accrued after reinstatement

Ch. 144 (AB 592) Knox Corporate securities violations

Existing law provides that any person who willfully engages in certain unlawful acts with respect to securities is civilly liable to persons injured thereby.

This bill would also make civilly liable any person who, with intent to deceive or defraud, materially assists in a violation of the Corporate Securities Law of 1968. It would also make any accountant, engineer, appraiser, or other person whose profession gives authority to statements made by such person jointly and severally liable with any other person liable, under the conditions specified in the bill

Ch. 145 (AB 593) Knox Bar membership fees.

Under existing law, the Board of Governors of the State Bar is authorized to fix annual membership fees for active members of the State Bar within legislatively prescribed limits. The limits contained in present statutes are (1) \$90 for an active member admitted to the practice of law in this state for 5 or more years, (2) \$70 for an active member admitted to the practice of law in this state for less than 5 but more than 2 years, and (3) \$50 for an active member admitted to the practice of law in this state for less than 2 years, except that for the calendar year 1977, the limits are (1) \$130 for active members admitted to the practice of law in this state for 10 or more years, (2) \$115 for active members admitted to the practice of law in this state for less than 10 but more than 5 years, (3) \$85 for active members admitted to the practice of law in this state for less than 5 but more than 2 years, and (4) \$55 for active members admitted to the practice of law in this state for less than 2 years

This bill would extend such limits for the calendar year 1977 to apply also to the calendar year 1978.

Ch 146 (AB 633) Lewis. Water districts and authorities: hydroelectric power.

Existing law provides for municipal water districts of specified powers. Such powers include the power to construct, maintain, and operate facilities to make use of water for a waterworks or water-works system for the benefit of the district. Existing law also provides for county water authorities as separate public entities with designated powers, including the power to develop, store, and transport water and to sell and deliver water at wholesale

Existing law also provides for the Monterey County Flood Control and Water Conservation District with specified powers, including the power to store, conserve, distribute and sell water

This bill would authorize a municipal water district, a county water authority, and the Monterey County Flood Control and Water Conservation District to provide, generate, and deliver hydroelectric power and utilize its property and water for such purpose. The

bill would also authorize a municipal water district, a county water authority, and the Monterey County Flood Control and Water Conservation District to contract to provide, sell, and deliver hydroelectric power to the United States, the state, public and private entities, as defined, or to use all or any part of such hydroelectric power.

The bill would take effect immediately as an urgency statute.

Ch. 147 (AB 665) Kapiloff. Property tax assessments penalties and interest.

Under existing law, the State Board of Equalization is required to assess certain property of public utilities, for purposes of local property taxation. The taxpayer is required to file a property tax statement by a specified date. Such board allocates such assessed values to the local governments.

This bill would revise provisions authorizing the escape assessment of state-assessed property, would extend from 4 to 6 years the period in which certain state-assessed property is subject to escape assessment, and would authorize the board to reallocate assessed property values if the allocation of such assessed values was caused by misrepresentation. This bill would also impose a 10% penalty for late filing of property tax statements required for the assessment of state-assessed property.

Ch. 148 (AB 677) Hayden. Insurance surplus line brokers.

Existing law requires surplus line brokers to post a bond to the people of the State of California in the sum of \$20,000 to guarantee their compliance with the requirements relating to surplus line brokers.

This bill would increase the amount of the bond required to \$50,000.

Ch. 149 (AB 732) Lancaster. School classified employees merit system.

Existing law generally provides that whenever, by reason of any reorganization, all or part of any school district which has adopted the merit system is included within any district, or in any new district, the governing board of the acquiring or new district must adopt a merit system.

This bill would, instead, provide that only when the classified employees of the reorganized district approve by a simple majority the adoption of the merit system is the acquiring or new district required to adopt a merit system. If no such election is requested by the classified employees of the reorganized school district, adoption of a merit system would be effective only if the number of employees from the other district to be employed by the acquiring district equals or exceeds the number of classified employees in the acquiring district. It would also specify that when the acquiring district is not required to adopt a merit system, the classified employees of the former district shall retain for a period of 2 years the salary, rights and other benefits which they would have had had the reorganization not occurred.

The law presently provides that in those school districts having a merit system for classified employees of the district, which system has been in operation 5 or more years, qualified electors of the district may petition for an election to be held on the question of terminating the merit system.

This bill would provide that such a procedure for terminating a classified employee merit system may also be employed if such system is imposed pursuant to the terms of this act.

This bill would apply to any action to reorganize a district which was completed in or after 1976 and which is to become effective on or after July 1, 1977.

This bill would take effect immediately as an urgency statute.

Ch. 150 (AB 786) Chel. Public administration: decedents' estates.

Existing law provides that the public administrator of each county is to take immediate charge of the property of persons who have died, when no executor or administrator has been appointed and the property is being wasted, uncared for, or lost or when ordered to do so by a court. It does not expressly authorize the public administrator to conduct a search for a will or burial instructions.

This bill would authorize the public administrator, upon taking charge of an estate, to make an immediate search for a will and burial instructions, if none has previously been produced, and would grant the public administrator, after furnishing written certification that there are reasonable grounds to believe that he is entitled to administer

the estate, access to any safe deposit box held in the sole name of the decedent for such purpose. It would also require the public administrator to deliver any will or burial instructions found to the appropriate persons or court

Ch. 151 (AB 741) Kr.ox. Metropolitan Transportation Commission: term of commissioners.

Existing law provides that the term of office of the members of the Metropolitan Transportation Commission is 4 years and that the basis for their selection shall be their special familiarity with the problems and issues in the field of transportation. Existing law also provides that public officers may serve as members of the commission during their terms of office.

This bill would provide that a public officer who ceases to hold his public office vacates his commission seat unless the appointing authority consents to completion of the term of office.

Ch. 152 (AB 778) Hallett. Salinas Union High School District: improvement areas

Currently, the governing board of a union high school district is generally not authorized to sell bonds for the construction of school facilities without authorization from an affirmative vote of two-thirds of the votes cast by electors of the district.

This bill would authorize the Governing Board of the Salinas Union High School District to form an improvement area within the district comprising certain specified territories for the issuance and sale of bonds for the construction of one or more junior high schools to serve the pupils of the elementary school districts after authorization is received to do so by the electorate of the territories encompassing the proposed improvement area.

This bill would also provide that the Governing Board of the Salinas Union High School District may enter into leases or agreements for the construction and acquisition of one or more junior high schools after approval of a majority vote of the electors voting on such an issue that reside in the improvement area.

This bill would take effect immediately as an urgency statute.

This bill would be repealed effective January 1, 1981

Ch. 153 (AB 832) Calvo. Real estate license reinstatement.

Under existing law, if the Real Estate Commissioner pays from a specified separate account in the Real Estate Fund any amount in settlement of a claim or toward satisfaction of a judgment against a licensed broker or salesman, the license of such broker or salesman is automatically suspended upon the effective date of a court order and may not be reinstated until he has paid in full, plus interest at the rate of 4% a year, the amount paid from the separate account.

This bill would revise the above interest rate from 4% a year to the prevailing legal rate applicable to a judgment rendered in any court of this state.

Ch. 154 (AB 875) Gage. Weights and measures.

Existing law requires any sealer who examines any weight, measure or instrument to seal or mark such weight, measure or instrument with an appropriate device of uniform form, design and color approved by the Department of Food and Agriculture, placed so as readily to be seen, showing that such weight, measure or instrument is correct, and indicating the date of inspection. The law provides that, if a lead seal is used, the date may be shown by the year only.

This bill would revise such requirement by providing that the seal or mark is to be with a device approved by the department and that it is to be placed so as to provide optimum visibility to the customer showing that the weight, measure or instrument was inspected and the date of inspection. The bill would delete the provision relating to the lead seal.

Under existing law weighmasters are required to use a form known as the "state certificate of weights and measures" which is approved by the department and is required to contain specified information.

This bill would delete reference to a "state certificate" and specifies the information which is required to be on each certificate issued by a weighmaster including a legend which certifies that the weighmaster has weighed, measured or counted the merchandise in question. The bill would make related changes

Existing law provides that public and private weighmaster certificate forms are the property of the state and requires any such weighmaster to forfeit and return any unused forms to the Department of Food and Agriculture.

This bill would delete such provisions.

Existing law prohibits any weighmaster from certifying any weight in excess of 2,300 pounds when, among other things, the load limit of the vehicle is 76,800 pounds.

This bill would revise such provisions by prohibiting such certification if, among other things, the vehicle's gross weight exceeds 80,000 pounds, unless a special permit authorizing a greater gross weight has been issued.

Ch 155 (AB 1007) McAlister. Enforcement of judgments.

Under existing law tangible personal property in the possession of the judgment debtor which is subject to execution is levied upon for execution of a judgment by taking such property into custody.

This bill would provide for a levy of execution upon such property by taking such property into custody. It would specify that custody may be obtained by removal or by installing a keeper. It would also provide that if the personal property is a dwelling, a keeper shall be placed in charge for at least 2 days, after which the levying officer would remove the occupants, as specified. It also makes similar provisions with respect to personal property of a going business which would permit the operation of the business during a 2-day grace period.

This bill would take effect immediately as an urgency statute.

Ch. 156 (AB 1022) Agnos. Schools: buildings. leases.

Under current law, buildings which do not comply with the Field Act may be leased for general school purposes only if they are "temporary use buildings," which may be leased for only three years.

This bill would permit the continued use of leased facilities which do not meet Field Act requirements for continuation education purposes until the completion of replacement facilities or until June 15, 1980, whichever occurs first, if such facilities had been used for such purposes for at least five years prior to July 1, 1976.

This bill would be limited in application to a school district whose boundaries are coterminous with those of a city and county and would be repealed as of June 15, 1980.

This bill would take effect immediately as an urgency statute.

Ch. 157 (AB 1074) Ellis. Counties: equipment replacement reserve fund.

Existing law permits the establishment of an equipment replacement reserve fund in the county budget. The amount in such fund may not exceed the original cost of the equipment for which it has been accumulated or the amount of the depreciation charged to such equipment.

This bill would provide, instead, that the amount in such equipment replacement reserve fund may not exceed the estimated replacement cost of the equipment.

Ch. 158 (AB 1112) Ellis. Counties: lease of real property.

Existing law makes no express provision for the delegation, by a board of supervisors, of its authority to lease real property for use by the county for a specified term at a specified rental.

This bill would provide that the board of supervisors may, by ordinance or resolution, delegate to the purchasing agent or other appropriate county official, subject to such rules and regulations as it may impose, its authority to lease real property for use by the county for a term not to exceed three years and for a rental not to exceed \$1,000 per month.

Ch. 159 (AB 1177) Ellis. County officers: auditor

Existing law provides that the board of supervisors of a county may delegate to the county auditor the power to discharge from accountability certain county officers and employees charged with the collection of specified monies due the county on the grounds that the amount due is too small to justify the cost of collection.

This bill would retain the above provision and would in addition delegate to the auditor the power to accept a verified application for such discharge from accountability. This bill would also delegate to the auditor the power to establish a revolving cash

trust fund for specified purposes.

Ch. 160 (AB 484) Perino Dentistry.

Existing law provides that foreign-trained graduates meeting specified requirements are eligible for examination by the Board of Dental Examiners. Among the specified requirements is that the foreign-trained graduate be admitted or licensed to practice dentistry in the county wherein is located the institution from which the applicant was graduated.

This bill would delete the above referred to requirement.

Ch 161 (AB 1643) N Waters Civil defense and disaster: interstate compact.

Existing law contains no express provision ratifying and approving the Interstate Civil Defense and Disaster Compact.

This bill would ratify and approve the provisions of the Interstate Civil Defense and Disaster Compact executed by the Governor of the State of California on December 10, 1951

In addition it would authorize the Governor to approve specified additions to the compact

The provisions of this bill would be repealed December 30, 1978.

This bill would take effect immediately as an urgency statute.

Ch. 162 (SB 118) Song Probation reports.

(1) Under existing law, a court is required to appoint a time for pronouncing judgment in a criminal case within 21 days after a verdict, finding or plea of guilty, during which time the case is referred to the probation officer for a report if the defendant is eligible to probation

This bill would increase to 28 days from 21 days the period within which a time for pronouncing judgment must be appointed and the case must be referred to the probation officer.

(2) Existing law requires that the report of the probation officer be submitted to the court and the prosecuting and defense attorneys at least 2 days, or upon request of the defense, 5 days, prior to the time fixed for the hearing and determination of the report

This bill would eliminate a different time period because of a request of the defense, and would increase the period for such submission of the report to at least 9 days prior to the time fixed for the hearing and determination of the report

The bill would also take effect immediately as an urgency statute, to be operative on July 1, 1977, or the effective date of the bill, whichever is later.

Ch 163 (AB 27) Arnett. Solicitation of crimes: arson.

Existing law makes it a crime to solicit others to commit certain specified crimes. Such crime is punishable by imprisonment, as specified, or by a fine of not more than \$5,000, or both. Arson is not among the listed crimes Arson itself if a felony is punishable by specified imprisonment or \$5,000 fine.

This bill would increase the maximum fine for arson generally to not more than \$50,000 and would include arson among such crimes which it is a crime to solicit, and would make the authorized fine for solicitation of any of the listed crimes equal to that for the crime itself if greater than \$5,000

This bill would provide that no reimbursement or appropriation shall be made pursuant to this bill for a specified reason

Ch. 164 (SB 1178) Presley. Judicial commitments. mentally disordered sex offenders

Existing law provides for a court to set an indeterminate term of commitment for a mentally disordered sex offender, provided that such term shall not exceed the aggregate maximum term the person could have been sentenced to.

This bill would require the court, for felones committed on or after July 1, 1977, or the Community Release Board for felonies committed prior to July 1, 1977, to determine the maximum term of commitment. In the case of a misdemeanor, it would specify the maximum term as the longest term of county jail confinement which could have been imposed

The bill would provide for commitment beyond such maximum term for mentally

disordered sex offenders, as specified, pursuant to petition for extended commitment filed prior to expiration of the original commitment. It would specify procedures and the rights of persons subject to such extended commitment. These provisions of the bill would remain in effect only until January 1, 1979.

The bill also would require the State Department of Health to report to the Legislature by January 1, 1978, and again by June 30, 1978, on the utilization of the provisions of the bill.

This bill would take effect immediately as an urgency statute, to be operative July 1, 1977.

Ch 165 (AB 476) Boatwright Imprisonment.

The Uniform Determinate Sentencing Act of 1976, generally, provides a system whereby the judge selects a term of imprisonment in the state prison from 3 statutory choices, with the Community Release Board administering provisions relating to good-time credit and parole.

This bill would make various conforming, corrective, and substantive changes in such act and related provisions of law.

This bill would appropriate \$9,583,200 from the General Fund to the Department of Corrections and the Community Release Board, as specified.

The bill would take effect immediately as an urgency statute, to become operative July 1, 1977.

The bill would incorporate changes made by SB 155 to become operative only if and when SB 155 becomes operative.

Ch 166 (AB 156) Chimbole. Elections consolidation.

Existing law contains various provisions for the consolidation of local and statewide elections, setting the deadlines and procedure involved.

This bill would expand a section authorizing the consolidation of school district elections with statewide elections to apply to all local elections, and revise the word limitation on measures submitted by a district, city, or other political subdivision for consolidation with a statewide election and the deadline for such submission. It would also specify a procedure for the consolidation of all other local elections where no specific procedure is provided.

Ch 167 (AB 185) Chimbole. Elections: ballots

Existing law specifies the order in which offices and measures shall be listed on the ballot.

This bill would authorize the county clerk in counties using a voting system to make specified changes in the order of certain offices in order to make the most efficient use of space on the ballot.

Ch. 168 (AB 297) Boatwright. Commission for Economic Development.

Present law contains provisions which provide for the termination of the Commission for Economic Development on June 30, 1977.

This bill would give the commission a continuing existence by deleting such provisions.

In addition, this bill would expressly provide that the Legislature finds and declares that: The commission is solely an advisory body to the Legislature, Governor, and state departments, offices, and agencies; the duties and functions given the commission are part of, or incidental to, its work as an advisory body; and that no person shall, by virtue of his or her membership on the commission, be deemed or held to be an officer of the State of California.

This bill would take effect immediately as an urgency statute.

Ch. 169 (AB 446) Fazio. Energy emergencies.

Existing law specifies what constitutes a state of emergency for purposes of the California Emergency Services Act.

This bill would expressly include sudden and severe energy shortages, as defined, to be, under certain circumstances, one of the conditions included within the definition of state of emergency for purposes of the act.

This bill would become effective immediately as an urgency statute.

Ch. 170 (SB 8) Song. Family physician training program.

Under existing law, the term "programs which train primary care nurse practitioners" as used in the Song-Erown Family Physician Training Act means a program for the training of primary care nurse practitioners which is operated by an approved medical school or which is affiliated with a school of nursing approved by the Board of Registered Nurses.

This bill would redefine the term to mean a program which is operated by a California school of medicine or nursing, or which is authorized by the Regents of the University of California or by the Trustees of the California State University and Colleges, or which is approved by the Board of Registered Nursing.

This bill would reappropriate unexpended funds from the General Fund to the Department of Health in a specified manner for the purposes of training family physicians and primary care physician's assistants and primary nurse practitioners.

This bill would take effect immediately as an urgency statute.

Ch 171 (SB 316) Dunlap Property taxation Lagoon Valley Park

Under California's Constitution, property owned by an entity of local government is generally exempt from property taxation, but property located outside the boundaries of such an entity which was taxable when acquired remains subject to such tax.

This bill would provide that the Lagoon Valley Park in Solano County shall be exempt from property taxation, as of the date of its acquisition by the City of Vacaville on June 30, 1976, and would provide for a cancellation or refund of taxes on such property on the effective date of the bill. The bill would also make specified findings with respect to the nature of the title of the City of Vacaville in this property outside of its boundaries to the effect that such city does not have an interest therein of a type which is subject to property taxation. The bill would also make specified findings with respect to the need for special legislation applicable only to Lagoon Valley Park.

Under existing Section 2229 of the Revenue and Taxation Code, the state is obliged to reimburse local governments for property tax exemptions enacted by the Legislature after January 1, 1973.

This bill would provide that there shall be no such reimbursement for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch 172 (SB 512) Behr Bank and trust company assessments and fees

Under existing law, the Superintendent of Banks collects an assessment from banks and trust companies under the supervision of the State Banking Department sufficient to meet the expenses of the department and a reasonable reserve for contingencies at a rate not in excess of 0.0125% of a bank or trust company's total resources. Present law also provides for the payment of per diem examination fees of \$150 for the examination of a trust company or the trust department of a title insurer, but does not provide for a charge for the examination of the trust department of a bank. Present law provides for the payment of per diem examination fees of \$150 for special examinations of a bank or trust company or foreign banking corporation. Present law does not provide for fees for applications for securities permits by banks or trust companies.

This bill would adopt a schedule of declining assessment rates based on the size of the bank, and authorize the superintendent to set the absolute level of the assessment schedule below a specified ceiling.

This bill would increase the per diem examination fees payable by banks and trust companies to \$200, and would make such fees payable by banks for examination of bank trust departments.

This bill would require fees to be paid by banks or trust companies on the filing of applications for permits to sell securities.

Present law provides for a branch and for foreign branch application fee of \$500. This bill would change the fee to \$1,000.

This bill would take effect as an urgency statute, citing facts therefor.

Ch. 173 (SB 1033) Vuich. Taxation of livestock

Existing law provides for the imposition of a tax on certain livestock, as defined, in lieu of the property tax, and allocates the revenue derived from such tax to local agencies on the basis of the number of days livestock are within each jurisdiction.

This bill would exempt livestock owned by qualified owners from such tax for any period declared by the Governor, or by the President or a federal official at the request of the Governor, to be a drought emergency. Such exemption would apply for specified periods, unless extended due to a declaration by the Governor that the drought emergency still exists.

This bill would also require the State Controller to report to the Legislature on the amount of claims submitted by local agencies for reimbursement of subventions lost as a result of this enactment, in order that the Legislature may appropriate such funds.

This bill would take effect immediately as a tax levy.

Ch. 174 (AB 388) Hayden. Community colleges apportionment computation

Existing statutes provide for the computation of state apportionments for community college districts.

This bill would revise and correct a definition prescribed for such statutes.

This bill would take effect immediately, as an urgency statute.

Ch. 175 (AB 445) Vasconcellos. Special education waiver of class size

Existing law requires school districts to make specified payments towards the tuition of certain exceptional pupils (i.e., physically handicapped, mentally or severely mentally retarded, or multiply handicapped), and authorizes such payments towards the tuition of educationally handicapped pupils, who are enrolled in a public or private nonsectarian school, institution, or agency that offers the special education facilities and services that are made necessary by the pupils' disabilities when appropriate special education facilities and services are not available or cannot be reasonably provided. In addition, certain maximum class sizes are provided for special education classes of handicapped pupils.

This bill would authorize a county superintendent of schools or a parent or guardian of a handicapped pupil authorized to receive educational services to submit a written request to the Superintendent of Public Instruction, and the superintendent to approve such request, for a waiver of specified maximum class size requirements if the only appropriate placement is in a class offered by a private nonsectarian school which exceeds any such requirement. This bill would also authorize the superintendent to make a retroactive waiver commencing with the Fall term of the 1976-77 school year for the purpose of making tuition payments.

This bill would take effect immediately as an urgency statute.

Ch. 176 (AB 567) Chappie. Food and agriculture Hydrilla control

Existing law does not specifically provide funding for eradication of the plant pest Hydrilla (*Hydrilla verticillata*).

This bill would:

(1) Declare legislative intent that the spread of such plant would cause irreparable damage to the agricultural industry and waterways of the state.

(2) Require the Director of Food and Agriculture, in cooperation with federal, local and state governmental agencies of the state, to take any steps to eradicate this pest.

(3) Appropriate \$925,000 to the Department of Food and Agriculture for expenditure, without regard to fiscal year, for purposes of carrying out the program of eradication provided for by this bill.

(4) The bill would take effect immediately as an urgency statute.

Ch. 177 (AB 1113) Gualco. Municipal election. election supplies

Existing law requires each official in charge of conducting an election, including, by definition, city clerks, to furnish to precinct officers specified election supplies and equipment. However, separate and varied statutory provisions require city clerks to furnish specified election supplies and equipment to precinct officers in the conduct of municipal elections.

This bill would revise existing law by conforming the provisions governing the furnish-

ing of election supplies and equipment at municipal elections to those provisions which generally govern the furnishing of such election materials.

In addition, existing law authorizes election officials, including city clerks, with the approval of the county board of supervisors to furnish precinct officers with original books of affidavits of registration or other materials necessary to verify signatures. However, existing statutory provisions governing only municipal elections require the use of original affidavits of registration, or copies thereof, by precinct officers.

This bill would repeal the above provision requiring the use of original affidavits of registration or copies thereof, by precinct officers at municipal elections. It would, however, until January 1, 1978, require city clerks conducting a municipal election in a city and county to furnish to precinct officers original affidavits of registration or copies thereof.

This bill would take effect immediately as an urgency statute.

Ch 178 (AB 1989) Fazio Transportation: Transportation Revolving Account.

(1) Under existing law, funds (with minor exceptions) in the State Highway Account in the State Transportation Fund are continuously appropriated for allocation by the California Highway Commission for expenditure, in general, by the Department of Transportation for state highway purposes.

This bill would create the Transportation Revolving Account in the State Transportation Fund into which would be transferred to, or deposited in, all funds made available to the department. The bill would specify the administrative duties of the department with respect to the account.

(2) Under existing law, the department is authorized to make refunds of overpayments and duplicate payments of rent for its real property. Under existing law, state agencies are authorized to refund excess payment of fees.

The bill would authorize the Director of Transportation to refund money when there is an overpayment or where the service cannot be rendered for which the money was paid.

(3) The provision creating the Transportation Revolving Account would be operative only during those fiscal years in which funds in the State Highway Account are appropriated by the Budget Act for such fiscal years.

(4) The bill would take effect immediately as an urgency statute.

Ch 179 (SB 69) Nejedly Notary public: fees.

Existing law prohibits officers of the state or of a county or judicial district from performing any official services without fee.

This bill would provide that that provision of law shall not be construed to prohibit any notary public, excepting one whose fees are required to be remitted to the state or any other public agency, from performing notarial services without charging a fee and makes related changes in other provisions of law.

The bill would take effect immediately as an urgency statute.

Ch 180 (SB 122) Alquist. Public utilities.

(1) Under existing law, certain types of transportation companies are required to file with the Public Utilities Commission quarterly statements of gross operating revenues and include with each such filing a fee of \$4. Such fees are deposited in the Transportation Rate Fund, the moneys of which are continuously appropriated for the support of the commission.

This bill would increase the fee to be included with such filings from \$4 to \$10 and thus would augment the continuing appropriation for the support of the commission.

(2) Under existing law, the permit issued by the commission to a household goods carrier may be suspended, changed or revoked upon complaint or on the commission's initiative after notice and hearing.

This bill would revise the procedural requirements for such action to require that an opportunity to be heard, rather than a hearing, precede such action. It would require that a household goods carrier be granted a hearing if requested within 30 days after receiving the notice and opportunity to be heard.

It would appropriate \$2,000,000 from the General Fund to the Public Utilities Commission in augmentation of a specified budget item for the 1977-78 fiscal year.

It also would take effect immediately as an urgency statute.

Ch 181 (SB 275) Stiern. Community college facilities

Under existing law, any contract or contracts totaling \$10,000 or more for construction of community college facilities cannot be made until the governing board of a community college district, except districts governed by a city board of education, submits the plans of such construction to, and obtains approval from, the chancellor's office.

This bill would make such provisions apply only when the governing board is making such a contract or contracts totaling \$20,000 or more

Ch 182 (SB 367) Beverly Contractors

Existing law provides that specified requirements for home improvement contracts are to apply to any person who is licensed or subject to be licensed pursuant to the Contractors License Law and states that a violation of such provisions by a person who is licensed pursuant to the Contractors License Law is a misdemeanor.

This bill would specify that a violation of such provision by a person subject to be licensed, as well as by a person who is licensed, under such law would be a misdemeanor.

Ch. 183 (SB 471) Holmdahl Custodial officers

Existing law defines a custodial officer as a public officer, not a peace officer, employed by a law enforcement agency of a city having a population of over 2,000,000 who has the authority and responsibility for maintaining custody of prisoners and who performs tasks related to the operation of a local detention facility Existing law prescribes the training, powers, and duties of such custodial officers

This bill would revise the definition of a custodial officer by deleting the requirement that the city employing such a public officer in a law enforcement agency have a population of over 2,000,000

Ch. 184 (SB 475) Foran Loans

Existing law specifically enumerates the types of loans and investments that commercial banks and savings and loan associations can make, but does not authorize either to make the types of loans which this bill would

This bill would allow a commercial bank or savings and loan association to lend on the security of a first security interest on stock or a membership certificate issued to a tenant-stockholder or resident member by a completed fee simple cooperative housing corporation, as defined, provided that the loan meets certain conditions

Ch 185 (SB 541) Dills Public educational employment relations: financial reports.

Existing law requires every recognized or certified employee organization representing public school employees, except for employee organizations required to file financial reports under the Labor-Management Disclosure Act of 1959, to make available an annual written financial report, certified as to accuracy by a certified public accountant

This bill would instead delete the exception and require each such employee organization to make available such reports, signed and certified as to accuracy by its president and treasurer or corresponding principal officers

This bill would take effect immediately as an urgency statute

Ch 186 (SB 619) Song Prior convictions under the influence

Existing law requires that the prosecuting attorney be served with the defendant's statement regarding deprivation of constitutional rights in any proceedings to declare invalid on constitutional grounds any prior judgment of conviction for driving while under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug or driving while under the influence of any drug or driving upon any highway while addicted to the use of any drug

This bill would require that the court that rendered the prior judgment also be served with the statement.

Ch 187 (SB 681) Foran Grand juries

Existing law requires the grand jury of a county to submit annually to the presiding judge of the superior court a final report of its findings and recommendations pertaining to county government matters No later than 60 days after submission of such report, the county board of supervisors is required to comment to the presiding judge on the grand jury findings and recommendations, and elective county officers are required to

report to the board on the findings and recommendations pertaining to such officers.

This bill would require such comments and reports to be made within 90 days of the submission of the grand jury's report.

Ch 188 (SB 795) Stern California water storage districts.

Under existing law, water storage districts may issue revenue warrants maturing not more than 5 years from the date of issuance, sold at less than par or face value to yield not more than 7% per annum, and in an amount not in excess of \$1,000,000 in any one fiscal year.

This bill changes the yield on sales at less than par or face value to be 8%, and if issued prior to August 1, 1978, extends the maturity to 10 years and increases the amount in any one fiscal year to \$4,000,000.

The bill would take effect immediately as an urgency statute.

Ch 189 (AB 157) Cumbale. Special district officers.

Existing law specifies that a person appointed to fill a vacancy in an elective office on the governing board of certain special districts shall hold office until the next general district election. It also specifies that a person elected to fill a vacancy shall hold office for the balance of the term of office.

This bill would provide in addition that persons appointed to fill a vacancy pursuant to these provisions shall hold office until the person elected to the office has been qualified. It would also provide that a person elected to fill a vacancy shall hold office for the unexpired balance of the term of office.

Ch 190 (AB 158) V Thomas. Vessels

Under existing law, no person or corporation may operate a vessel for transportation, for compensation, between points in the state without a certificate of public convenience and necessity from the Public Utilities Commission, with a limited exception.

This bill would exempt from this requirement any vessel under the burden of 5 tons net register.

Ch 191 (AB 200) Egeiland. Venereal disease: distribution of information.

Under existing law, the State Department of Health is required to develop and prepare posters and leaflets on venereal disease and to make them available to the Department of Alcoholic Beverage Control and the California Board of Pharmacy for distribution. The Department of Alcoholic Beverage Control is required to make the venereal disease information available to its on-sale licensees.

This bill would delete the requirement that the State Department of Health make posters and leaflets on venereal disease available to the Department of Alcoholic Beverage Control for distribution and the requirement that the Department of Alcoholic Beverage Control make the information available to its on-sale licensees for distribution.

Ch. 192 (AB 249) Hayden. Public Employees' Retirement System: benefits.

Existing Public Employees' Retirement Law requires certain local members to make additional contributions to have their compensation in excess of \$416.66 included in benefit computations for service rendered prior to 1952. This bill would provide that the entire compensation would be included and would delete the additional contribution requirement.

Existing law requires members concurrently rendering service in two or more positions to designate the position which is overtime and not included in retirement computations. This bill would provide that service in the part-time position shall constitute overtime.

Existing law requires employees of a contracting agency to have 5 years or more current service in order to receive credit for prior service. This bill would require such service to be credited service and make such employees eligible for prior service credit on the date of membership.

Existing law does not specifically designate the effective date of reinstatement from retirement. This bill provides that the effective date of reinstatement shall be the first day of compensated employment.

The bill states that no appropriation would be made to local agencies for their increased costs because of a specified reason.

The State Employees' Medical and Hospital Care Act provides basic and related major medical plans for state officers and employees and requires the state to contribute \$29 for employees enrolled for self alone, \$49 for employees enrolled for self and 1 family member and \$60 for employees enrolled for self and 2 or more family members and requires the State Personnel Board to recommend annual adjustments so that the state contribution for employees alone shall be 85% of the premium charges and those for family members shall be 60% of the premium charges. The state's contributions are statutorily appropriated monthly from the General Fund and other funds in the State Treasury.

This bill would instead require the state to contribute for employees enrolled for self alone, \$53 for an employee and 1 family member, and \$66 for an employee and 2 or more family members

The provisions of the bill relative to the State Employees' Medical and Hospital Care Act would become operative July 1, 1977, and the remainder of the provisions of the bill would become operative on January 1, 1978.

The bill would take effect immediately as an urgency statute

Ch 193 (AB 287) Arnett Governing boards mileage allowance community college trustees

Under existing statutory law the governing board of community college district may, by resolution, assign by lot a number to each seat on the board and once such numbers are assigned, any candidate for election to the board is required to run for a particular numbered seat on the board and be elected at large

This bill would repeal such provision.

Existing law authorizes a governing board of any school district or community college district to pay a travel allowance to its members for necessary travel in excess of 10 miles in order to attend district meetings

This bill would delete the provision that the travel required be in excess of 10 miles.

Ch 194 (AB 292) Lewis Master-meter customer. distribution of rebates.

Under existing statutory law, master-meter utility customers of gas or electricity are not expressly required to distribute rebates received from the serving utility to submeter users

This bill would require specified master-meter customers to either distribute a proportionate share of such rebates to submeter users or credit the utilities account of the users with a like amount

Ch. 195 (AB 397) Suitt. Irrigation district elections.

Under existing law irrigation districts are subject to the provisions of the Uniform District Election Law, which provides for a general district election to be held in each district on the first Tuesday after the first Monday in November in each odd-numbered year

This bill would authorize the board of an irrigation district containing 500,000 acres or more to designate, instead, that the general district election shall be consolidated with the statewide primary election held on the first Tuesday after the first Monday in June in each even-numbered year, and would prescribe the procedure for such designation

This bill would take effect immediately as an urgency statute.

Ch 196 (AB 501) Chimbole Elections absentee voting

(1) Under existing law, if a second absentee ballot is sent to a voter, the envelope containing the ballot bears a warning that voting twice is a felony and that both ballots are void

This bill would require such a warning on the envelope used for all absentee ballots

(2) Under existing law the envelope containing an absentee ballot must contain the signature of the voter as it appears on his affidavit of registration or written across the sealed flap of the envelope

This bill deletes the requirement that such signature appear the same as on the affidavit of registration or be written across the sealed flap of the envelope

Ch. 197 (AB 552) Dannemeyer. Notaries public: fees.

Under present law, a notary public is prohibited from performing any official services except upon payment of the statutory fees.

This bill would continue this requirement only for notaries public whose fees are required by law to be remitted to the state or any other public agency, and would make the collection of the statutory fees permissive for all others. It would permit a private employer pursuant to agreement with an employee who is a notary public to pay the premiums on any bond and the cost of any stamps, seals, or other supplies and to provide for the employee to remit any fees collected for notary services to the employer which shall deposit such funds to the credit of the fund from which the compensation of the notary public is paid. It would also make related changes in other provisions of law.

Ch. 198 (AB 570) McAlister. Contracts: liquidated damages.

Except for certain statutory provisions authorizing liquidated damages in specified contracts or agreements, liquidated damages provisions are generally unenforceable unless the actual damages occasioned by a breach of a contract would be impracticable or extremely difficult to fix and the parties have made a reasonable endeavor to estimate actual damages.

This bill would continue the foregoing general criteria as respects contracts where liquidated damages are sought to be recovered from either: (1) a party to a contract for the retail purchase, or rental, by such party of personal property or services, primarily for the party's personal, family, or household purposes; or (2) a party to a lease of real property for use as a dwelling by the party or those dependent upon the party for support.

This bill would provide that liquidated damages provisions in contracts to purchase and sell residential property, as defined, other than real property sales contracts, which relate to the buyer's failure to complete the purchase are valid if the amount actually paid pursuant thereto does not exceed 3% of the purchase price and unless the buyer establishes such amount is unreasonable, and are invalid if the amount actually paid pursuant thereto is more than 3% of the purchase price unless the party seeking to uphold the provision establishes that the amount is reasonable; provided however, that certain other criteria applicable to all other contracts to purchase and sell real property, other than residential property, and which regulate the disclosure and the signing and initialing of liquidated damages provisions by the parties are also met.

Existing law requires or authorizes public works construction contracts of the state, local entities, and state university and colleges to include liquidated damages provisions.

This bill would enact comparable provisions for contracts of the University of California and would provide that the liquidated damages provisions in all such public works construction contracts shall be valid unless manifestly unreasonable under the circumstances existing at the time the contract was made.

This bill would provide that any other liquidated damages provision in a contract, not otherwise expressly governed by statute, is valid unless the party seeking to invalidate the provision establishes the provision was unreasonable under the circumstances existing at the time the contract was made.

This bill would become operative on July 1, 1978, and would apply only to contracts made on or after such date.

Ch. 199 (AB 609) Hallett. State Teachers' Retirement System: survivor benefits.

Existing State Teachers' Retirement Law requires survivor benefits to be paid to children who are full-time students.

This bill would make technical nonsubstantive changes in those provisions.

Ch. 200 (AB 628) Nestande. Discharge of prisoners.

Existing law makes no provision for the early release of county or city jail inmates due to overcrowding.

This bill would permit the sheriff, police chief, or other person responsible for a county or city jail to apply to the presiding judge of the justice, municipal, or superior court for authorization for a period of 30 days to accelerate the release, discharge, or expiration of sentence of sentenced inmates up to a maximum of 5 days if the actual inmate count exceeds the actual bed capacity of the jail.

Ch. 201 (AB 667) Bates Municipal utility districts: retirement system.

Existing law authorizes the retirement board of a municipal utility district to deduct appropriate amounts from the retirement allowance or benefit payable to a retired employee or beneficiary of such employee for the purposes of paying premiums on certain group medical or hospital service plans or the payment of federal or state income taxes

This bill would also permit deductions from the retirement allowance or benefit for the purpose of purchasing shares in, or the payment of money to, the utility district credit union

Ch 202 (AB 748) Boatwright County Employees Retirement Law of 1937: legal services.

Existing County Employees Retirement Law of 1937 provides that the district attorney, or county counsel, if there is one, is the attorney for the board of retirement except that the board may contract for the services of an attorney in private practice for necessary legal advice relating to disability retirement

This bill would permit the board of supervisors to authorize the board of retirement to contract for the legal services of an attorney in private practice if the county counsel cannot provide the board of retirement with legal services because of a conflict of interest or other compelling reason and would provide that fees for such services be paid from specified reserve funds or, if none, from the county general fund

Ch 203 (AB 755) Vicencia Southern California Rapid Transit District. city selection committee

Under the Southern California Rapid Transit District Law, the Southern California Rapid Transit District Board of Directors consists of 11 members, 4 of whom are appointed by a city selection committee consisting of a representative from each city, other than the City of Los Angeles, within the district or, on and after January 1, 1977, by subcommittees of the city selection committee. These 4 members are not required to be elected city officials

This bill would require these 4 appointees to be elected city officials.

Ch 204 (AB 767) Hart County Employees Retirement Law: safety membership

Existing County Employees Retirement Law of 1937 generally prohibits classification of employees first employed after age 35 as safety members

This bill would permit certain counties to elect to permit each person over age 35 who meets certain law enforcement qualifications to be eligible for safety membership. The provision would not be effective after January 1, 1979

Ch 205 (AB 906) Tucker. Counties: purchasers

Existing law permits certain counties, by ordinance, to direct their purchasing agents to engage independent contractors to perform sundry services where the estimated cost does not exceed \$10,000.

This bill would increase the limit to \$25,000.

Ch. 206 (AB 942) Mangers Health Planning: Advisory Health Council.

Under existing law, the Advisory Health Council acts as an appeals board for health planning decisions rendered by the State Department of Health. The Advisory Health Council is composed of 21 members, with 13 members having prescribed qualifications appointed by the Governor.

This bill would change the qualifications for 1 of the general consumer members appointed by the Governor to the Advisory Health Council to require one to be a representative of physically handicapped consumers. The bill would also delete the appointment of one member by the California Committee on Regional Medical Programs, give that appointment to the Governor, thereby increasing the number of gubernatorial appointments from 13 to 14, and require that the additional appointee be a representative of a public agency concerned with the operations, construction, or utilization of a hospital specializing in rehabilitation.

The bill would also provide that the representative of the physically handicapped consumers would be appointed to the first vacancy occurring after January 1, 1978, among the current 4 public members.

Ch. 207 (AB 994) Stirling. Parent and child.

The Uniform Parentage Act presently provides a procedure for bringing an action to determine the existence or nonexistence of a father and child relationship. It presently requires that the child shall be made a party to the action and prohibits the child's mother or father from representing the child as guardian or otherwise.

This bill would (1) authorize the child to be a party to the action if under the age of 12, and require the child to be a party if 12 or over; (2) delete the prohibition mentioned above; (3) specify that any order requiring or dispensing with a father's consent for the adoption of a child may be appealed from in the same manner as an order of the juvenile court declaring a person to be a ward of the court, and (4) make technical changes.

It also would state that the Legislature intends that this act shall clarify existing law by making technical modifications thereto.

Ch. 208 (AB 1071) Deddeh. Municipal water districts

Existing law provides for annual standby assessment or availability charge of \$10 per acre or per parcel of less than 1 acre in municipal water districts generally, with specified exceptions, which exceptions do not include Otay Municipal Water District in San Diego County.

This bill would increase such permissible maximum annual standby assessment or availability charge in any improvement district within the Otay Municipal Water District in San Diego County to \$20 per acre or parcel less than an acre.

The bill would require the proceeds from any such charge in excess of \$10 to only be used for the purposes of the improvement district.

Ch. 209 (AB 1273) Knox. Joint exercise of powers agreements.

Present law generally permits the agency or entity provided by a joint exercise of powers agreement to administer or execute the agreement to be a person, firm, or corporation as well as a public agency.

This bill would specifically amend these provisions to permit an agreement to designate a nonprofit corporation to administer or execute the agreement for the parties to the agreement, and would specifically provide for annual audits and investment of the funds thereof.

Ch. 210 (AB 1442) Thurman. Public assistance

(1) Existing law requires the county to redetermine at least annually the eligibility of families for aid and services under the Aid to Families with Dependent Children program by requiring families to complete a certificate of eligibility. If a family fails to complete and return a mailed certificate form within 10 days, a social worker is required to meet personally with the family to assist in the completion of the certificate. Refusal to complete the certificate may result in withholding aid.

This bill would permit the Department of Benefit Payments to adopt regulations providing for waiver of the deadline for returning the completed certificate when the recipient is considered to be mentally or physically unable to meet the deadline.

(2) Under existing law, county welfare departments determine the eligibility of aged, blind, and disabled public assistance recipients for the Out-of-Home Care in Nonmedical Care Facilities Program.

This bill would appropriate \$786,800 to the Department of Benefit Payments for the 1976-77 fiscal year for administrative costs of the program.

The bill would take effect immediately as an urgency statute.

Ch. 211 (AB 1610) Chel. Aged persons: local programs.

(1) Under existing law, the Department of Aging, with the approval of the Department of Finance, is authorized to make funds available from specified sources to various nutrition programs. Funds are also appropriated annually in the Budget Act for support of the department.

This bill would appropriate for such nutrition programs the funds appropriated for support of the Department of Aging in the 1976 Budget Act.

(2) Under existing law, the Department of Health is authorized to pay up to 50% of the cost of projects under which county health agencies provide programs of scheduled visits by public health nurses to senior citizen housing and center facilities for health

consultant services

This bill would authorize such payment also for the cost of projects under which city health agencies provide such programs

(3) Under existing law, the Department of Aging is required to submit a report relating to preventive health care for the aging to the Legislature by May 1 of each year

This bill would make such report due on December 1, rather than May 1.

[This bill would take effect immediately as an urgency measure.]²

Ch. 212 (AB 1892) Arnett. Bulletproof vests

The existing law requires the Commissioner of the California Highway Patrol to make specified bulletproof vests available to certain state law enforcement personnel while engaged in enforcement activities. The law requires that bulletproof vests be approved pursuant to specified standards, and places approval authority in the California State Department of Justice

This bill would make certain changes in the standards for approval respecting the type of bullets the vest would withstand and the conditions under which tests would be conducted.

The bill would take effect immediately as an urgency statute.

Ch. 213 (SB 41) Rodda. Educational data-processing: Sacramento.

Legislation enacted in 1975, providing for the establishment of an independent data-processing center under the administration of Sacramento County educational agencies, does not specify the status of employees of the center. Such employees are presently considered as being governed by provisions of law pertaining to county employees

This bill would bring employees of the independent data processing center within provisions governing the employment of school classified employees and would provide for their inclusion in either the Public Employees' Retirement System or the State Teachers' Retirement System.

This bill would specifically authorize the governing board of the independent data-processing center to sue and be sued in the name of the center.

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by this bill for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 214 (SB 335) Foran. University of California hospitals: appropriation.

This bill would appropriate \$4,100,000 to the Regents of the University of California, as a loan, subject to certain provisions of the Budget Act of 1976 to make up the difference between the reimbursement rates allowed by the Medicare and Medi-Cal programs and the reimbursement rates claimed by the university.

This bill would take effect immediately as an urgency statute.

Ch 215 (SB 873) Holden. Health: genetic counselors: lupus erythematosus.

(1) Under existing law, the genetic disease unit of the State Department of Health is required to coordinate all health programs of the department in the area of genetic disease

This bill would require the state department to develop a 2-year pilot program to contract with facilities and programs for hiring of genetic counselors not later than January 1, 1978. The bill would require a genetic counselor to consult with a medical geneticist during the initial diagnoses and would prohibit a genetic counselor from making a diagnosis

The bill would require that each of the facilities participating in the pilot program report to the state department by October 31, 1979, on the effectiveness of a counselor placed under the program

The bill would require the state department to report to the Legislature by January 1, 1980, on the overall effectiveness of the pilot program.

The bill would reappropriate \$370,679 from Item 293 of the Budget Act of 1976 to the State Department of Health for expenditure to carry out the 2-year pilot program relating to genetic counselors under the act

The bill would provide that such provisions relating to genetic counseling would be operative until June 30, 1980, and would have no force and effect beyond such date.

(2) Under existing law, the State Department of Health is authorized to contract with a facility having research experience for a program of research on lupus erythematosus.

This bill would, in addition, authorize the state department to make grants for such lupus erythematosus research.

(3) This bill would take effect immediately as an urgency statute.

Ch. 216 (AB 554) Hayden. Psychologists.

Existing law requires an applicant for a psychology license to possess, among other things, an earned doctorate degree in psychology or in educational psychology or a doctorate degree deemed equivalent by the Psychology Examining Committee.

This bill would authorize such an applicant to possess an earned doctorate degree in education with the field of specialization in counseling psychology or educational psychology as an alternative to the above degrees.

Ch. 217 (AB 658) Chel. Decedents' estates.

Under existing law, claims against a decedent's estate generally must be filed or presented within 4 months after the first publication of notice to the creditors of the decedent. One exception to this general rule is that if it is made to appear in an affidavit of the claimant to the satisfaction of the court that the claimant did not receive such notice for the reason that the claimant was out of the state, the claim of such claimant may be filed or presented at any time before a decree of distribution is rendered.

This bill would limit the time period for such exception to those claims filed or presented within 1 year after the expiration of the 4-month period and before the petition for final distribution has been filed. It would also specify that any claim made pursuant to such exception would not make any property distributed pursuant to court order or any payments properly made before filing or presentation of such claim subject to the claim.

Under existing law, after a will has been admitted to probate, it may be contested at any time within 4 months.

This bill would provide that, when a will has been admitted to probate, it may be contested within 120 days after the date the court admits the will to probate as recorded in the minutes by the court clerk.

Ch. 218 (AB 1856) Chappie. Horseracing.

Existing provisions of Section 19612 of the Business and Professions Code provides, among other things, that with respect to harness racing, in addition to all other distributions from the parimutuel pool, an additional 1% shall be retained and distributed equally between license fees, purses and commissions until December 31, 1986. Thereafter the additional retention from harness racing parimutuel pools shall be decreased to 0.5% and is to be distributed equally between license fees, purses and commissions.

This bill would move those provisions into a separate section of the Business and Professions Code.

This bill would also take effect as an urgency statute.

Ch. 219 (AB 184) Hoatwright. Budget Act of 1977.

Makes appropriations for support of state government for the 1977-78 fiscal year.

To take effect immediately, urgency statute.

Ch. 220 (SB 821) Song. Peace officers.

Existing law designates various persons as peace officers. Among those presently included as such are inspectors and investigators employed and paid as such in the office of a district attorney. Such a person's authority extends to any place in the state: (1) as to any public offense committed or which there is probable cause to believe has been committed within the county employing him; (2) where he has the prior consent of the chief of police, if the place is within a city, or the sheriff, if within the county; and (3) as to any public offense committed or which there is probable cause to believe has been committed in his presence, and with respect to which there is immediate danger to person or property or of the escape of the perpetrator of the offense.

This bill would make a technical change with regard thereto.

Ch. 221 (AB 679) Chimbole. Privacy.

Existing law does not generally restrict the disclosure by business entities performing bookkeeping services of records prepared or maintained by such entities, although the existing California Constitution specifies privacy as one of the inalienable rights of all people in the state.

This bill would prohibit business entities, as defined, which perform bookkeeping services from disclosing the contents of records prepared or maintained by such business entities without the written consent of the subject of such records and would provide a civil remedy for damages, including minimum damages of \$500 plus costs and attorneys' fees, in the event of a violation of such prohibition, except as otherwise specified.

Ch. 222 (AB 681) Antonovich. Social security account numbers.

Existing federal law (1) permits any state or political subdivision thereof which administers any tax, general public assistance, driver's license, or motor vehicle registration law to use social security numbers for the purpose of identifying individuals, and (2) requires an individual's social security number to be used as the identifying number for such individual for purposes of the federal tax laws.

Under existing state law, an individual's social security number is required to appear on (1) his affidavit of voter registration if he chooses to furnish it, and (2) his child's birth certificate.

This bill would delete the provisions of state law requiring an individual's social security number to appear on his affidavit of voter registration if he chooses to furnish it, and on his child's birth certificate.

Ch. 223 (AB 1744) Mello. Pacific Elementary School District: school building: Field Act.

Currently, the law prohibits, with certain exceptions, the use, after June 30, 1975, of school buildings which do not conform to the structural standards of the so-called Field Act. An exception exists in the case of a school district which has let a contract for the replacement of a nonconforming school building and the State Allocation Board has authorized the continued use of the nonconforming building pending its replacement. Under such circumstances, the State Allocation Board may authorize the continued use of the nonconforming building only until completion of the replacement facilities, or until June 30, 1977, whichever occurs first.

This bill would permit the continued use of the Pacific School of the Pacific Elementary School District until completion of the replacement facilities, or until June 30, 1978, whichever occurs first.

This bill would take effect immediately as an urgency statute and would self-repeal on June 30, 1978.

Ch. 224 (AB 71) Duffy. Court reporters: compensation.

Existing law prescribes a fee of \$55 per day for contested cases to be received by court reporters in counties where compensation received by court reporters is not otherwise specifically set by statute.

This bill would increase the per diem for superior court reporters in Kings and Mariposa Counties from \$55 to \$70.

Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in specified counties, and to audit and inspect such records, and submit an annual report to the board of supervisors of each such county and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for Kings and Mariposa Counties, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Kings and Mariposa Counties and the Legislature.

The bill makes certain findings declaring that the subject of the bill requires legislative action affecting Kings and Mariposa Counties.

The bill would further make the provisions of the bill relating to Kings and Mariposa Counties inseverable from each other.

The bill would further provide that no appropriation or reimbursement of local agen-

cies is made for costs incurred by them pursuant to this bill for a specified reason.

This bill would also take effect immediately as an urgency statute.

Ch. 225 (SB 507) Foran. San Francisco Superior Court: filing fees.

Existing law states the fees for filing various documents in the superior courts

This bill would increase various specified fees for filing documents in the Superior Court in San Francisco. The bill would make a related, conforming change.

Ch. 226 (SB 408) Nejedly. Industrial Welfare Commission: organized camps.

Existing law permits the Industrial Welfare Commission to promulgate orders to fix the minimum wage, maximum hours, and standard conditions of labor for employees engaged in any occupation, trade, or industry in this state.

This bill would provide that no student employee of an organized camp, as defined, shall be subject to a minimum wage or maximum hour order of the commission if the employee receives at least a specified minimum salary.

The bill would also permit the organized camp to deduct the value of meals and lodging from the salary of a student employee pursuant to appropriate commission orders.

This bill would take effect immediately as an urgency statute.

Ch. 227 (SB 185) Dunlap. Transportation: abandoned railroad rights-of-way.

Pursuant to existing law, the Department of Transportation is required to acquire specified abandoned railroad rights-of-way and other property for public transportation purposes.

This bill would also require the department, after acquiring those specified abandoned railroad rights-of-way mandated by existing law, to acquire that portion of the abandoned right-of-way of the Winters Branch of the Southern Pacific Transportation Company from Midway Road in Solano County to State Highway Route 128 in Yolo County, if (1) sufficient funds are available in the Abandoned Railroad Account in the State Transportation Fund for the acquisition and (2) the counties and cities in which that portion of the abandoned right-of-way is located enter into an agreement with the department to fund the development of the acquisition for public transportation purposes.

Ch. 228 (SB 222) Greene. Wrestling exhibitions: physicians.

Existing law requires every club licensed to conduct wrestling exhibitions to have a physician in attendance at such exhibitions.

This bill would delete such requirement.

Ch. 229 (SB 261) Garamendi. Trial jury selection

Existing law provides that where sessions of the superior court are held in cities other than the county seat, the names of lists for jurors may be selected from the supervisorial district in which the city is located.

This bill would provide that, in El Dorado County, trial jury venires for the superior court shall be drawn from residents of the supervisorial district, or portion thereof, within which the court will sit, and from residents of immediately adjacent supervisorial districts, or portions thereof, as specified. The superior court could order a countywide venire.

This bill would take effect immediately as an urgency statute.

Ch. 230 (SB 338) Rains. Political Reform Act of 1974.

This bill would correct a reference to an Elections Code section found in the Political Reform Act of 1974, without making any substantive change in the law.

This bill would also clarify technical ambiguities caused by chaptering language in Chapter 1161 of the Statutes of 1976.

This bill is an urgency measure and would take effect immediately.

Ch. 231 (SB 399) Campbell. State Fire Marshal Fund.

Existing law still contains provision for the transfer of funds from the State Fire Marshal's Fund when the fund was abolished in 1945.

This bill would repeal that provision.

Ch 232 (AB 85) McAlister. Enforcement of judgments

Existing law permits a judgment creditor to apply for the entry of a judgment based on a sister state judgment by filing an application in a superior court of this state, as specified, containing certain statements.

This bill requires that the application include a statement of the interest accrued on the sister state judgment computed at the rate of interest applicable to the judgment under the law of the sister state, but not to exceed 7%, a statement of the sister state's rate of interest, and a citation to the law of the sister state establishing such rate of interest.

Existing law requires the clerk of the court to enter a judgment based upon the judgment creditor's application for the amount remaining unpaid under the sister state judgment.

This bill requires the judgment to be entered for the total of the above amount, the amount of the interest accrued on the sister state judgment computed at the rate of interest applicable to the judgment under the law of the sister state, but not to exceed 7%, and the amount of the fee for filing the application for entry of the sister state judgment. This bill would provide that interest on the judgment entered in this state shall accrue from the time of entry at the rate of 7%.

This bill provides that the fee for service of the notice of entry of judgment upon the judgment debtor is an item of cost recoverable in the same manner as statutory fees for service of a writ of execution, but not to exceed in amount the fee allowed to a public officer or employee in this state for such service.

Existing law authorizes a judgment entered, as previously specified, to be vacated on any ground which would be a defense to an action in this state on the sister state judgment.

This bill specifies that where the amount of interest accrued on the sister state judgment and included in the judgment entered is incorrect such an error is a ground for vacating the judgment. This bill would also provide that, upon the hearing of the motion to vacate the sister state judgment, the judgment may be vacated upon any ground which would be a defense to an action in this state on such judgment and another and different judgment entered, including, but not limited to, another and different judgment for the judgment creditor if the decision of the court is that the judgment creditor is entitled to such different judgment.

Ch. 233 (AB 127) Fazio Sacramento-San Joaquin Delta.

(1) Under existing law, the North Delta Water Agency, located in the Sacramento-San Joaquin Delta, is empowered to negotiate, enter into, execute, amend, administer, perform, and enforce a specified agreement with the United States and the State of California for specified purposes. Existing law provides for the termination of the agency unless such contract is entered into and executed on or before January 1, 1978.

This bill would extend the time for executing such contract to December 31, 1978.

(2) Existing law authorizes the Department of Water Resources to construct master levees, control structures, channel improvements, and appurtenant facilities in the Sacramento-San Joaquin Delta for specified purposes as part of the State Water Facilities, and continuously appropriates all moneys in, and accruing to, the California Water Fund to the department for such purposes except as reapportioned by the Legislature as specified.

This bill would appropriate \$3,800,000 from the California Water Fund to the Department of Water Resources for construction of temporary rock barriers in specified channels in the Sacramento-San Joaquin Delta. The bill would also require the reversion to the California Water Fund of any amount of such appropriation which is equal to the amount of federal funding obtained by the department for such purposes.

(3) The bill would require the Department of Water Resources to prepare a report on the effectiveness of the rock barriers in controlling salinity in the delta and transmit such report to the Legislature no later than November 1, 1977.

(4) The bill would provide that there are no state-mandated local costs in the act that require reimbursement under Section 2231 of the Revenue and Taxation Code for a specified reason.

(5) The bill would take effect immediately as an urgency statute.

Ch. 234 (AB 153) Craven. Subdivision regulation of public entities and public utilities.

Existing law specifies that certain subdivision improvements must be made. This bill would permit local ordinances to provide for agreement with the subdivider as to time of construction.

Existing law exempts certain things from the provisions of the Subdivision Map Act.

This bill would exempt boundary line and exchange agreements to which the State Lands Commission or a local agency are parties.

The bill would, in addition, specify persons who may accept or reject offers of dedication in certain circumstances, and provide a procedure for land to be merged and resubdivided without reverting to acreage.

Existing law provides for the correction of specified errors on a final or parcel map which has been filed with a county recorder.

This bill would specify other errors which may be corrected and provides that "error" does not include changes in courses or distances from which an error is not ascertainable from the data shown on the final or parcel map.

Existing law provides that any conveyance of land to a governmental agency, public entity, or public utility shall not be considered a division of land for any purpose.

This bill would provide that such a conveyance shall not be considered a division of land for purposes of computing the number of parcels.

Existing law provides that certain contiguous parcels of real property shall not merge if they had been subdivided previously under certain conditions. This bill would provide in addition that such parcels shall not merge if they have been created previously according to law existing at such time or were not subject to such provisions.

Existing law provides that local agencies may not issue permits to develop property which has been divided in violation of the Subdivision Map Act and applies such provision to the applicant for such a permit, as defined. This bill would extend the applicability of this provision to include purchasers of such property under a contract of sale.

Existing law provides various procedures for curing violations of the Subdivision Map Act. This bill would apply such procedures to purchasers under a contract of sale.

Existing law provides for a tentative notice of violation to be filed relative to violations of the Subdivision Map Act. This bill would provide, instead, for the recording of a "notice of intention to record a notice of violation" and would provide for various procedures to be followed in such a case.

The bill would provide as a legislative declaration that certain of its provisions are either a clarification and restatement of, or declaratory of existing law.

The bill would clarify various ambiguities in the act and would take effect immediately as an urgency statute.

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

Ch. 235 (AB 256) Knox. Corporations.

Existing law provides that any election by written consent by the shareholders to fill a vacancy in the board of directors, which is not filled by the directors, requires the consent of a majority of the outstanding shares entitled to vote.

This bill would except from the above elections by written consent to fill a vacancy in the board created by the removal of a director.

Existing law provides that the board of directors of a corporation may, by resolution adopted by a majority of the authorized number of directors, designate committees to serve at the pleasure of the board.

This bill would provide that the appointment of members or alternate members of a committee requires the vote of a majority of the authorized number of directors.

Existing law provides that neither the business to be transacted nor the purpose of any regular or special meeting of the shareholders need be specified in any waiver of notice of the meeting.

This bill would provide that such purpose need not be set forth in the consent to the holding of the meeting or approval of the minutes thereof.

Existing law provides that a proxy may be revoked, notwithstanding a provision making it irrevocable by a purchaser of shares without knowledge of the provision.

This bill would substitute a "transferee" of shares in the above for a "purchaser" of

shares.

Existing law provides that a corporation may restate in a single certificate the entire text of its articles, as amended, by filing an officer's certificate which shall set forth the articles as amended to the date of the certificate

This bill would require that such officer's certificate shall set forth the articles as amended to the date of filing of the certificate

Existing law provides that the board of each corporation which desires the merger shall approve an agreement of merger.

This bill would provide that the constituent corporations shall be parties to the agreement of merger and other persons, including a parent party corporation, may be parties to the agreement.

Existing law provides that in any merger of a parent and subsidiary, if the parent does not own all of the outstanding shares immediately prior to the merger, it must give notice at least 10 days prior to the effective date of the merger to other shareholders

This bill would instead require 20 days notice prior to the effective date of the merger.

Existing law restricts distributions to shareholders in specified instances.

This bill would make an exception for the purchase or redemption of shares of a deceased shareholder from the proceeds of an insurance policy on the life of such shareholder in excess of the total amount of all premiums paid by the corporation and in furtherance of an agreement between the corporation and shareholder

Existing law provides that a lien upon a security in favor of an issuer thereof is valid only if the lien is noted conspicuously on the security.

This bill would exempt from the above transferees with actual knowledge of the lien

Existing law provides that corporations have the power to establish and carry out pension and other related plans.

This bill would give corporations the power to indemnify and purchase and maintain insurance on behalf of any fiduciary of such plans

Existing law sets forth provisions that proxies must contain, but provides such provisions do not apply to or preclude the use of general proxies.

This bill would delete this exception for general proxies.

Existing law provides that if any amendment of the articles would make shares assessable or would authorize a remedy for the collection of an assessment on fully paid shares, it must be approved by all of the outstanding shares.

This bill would provide that such amendment must be approved by all of the outstanding shares affected.

Existing law provides that if the buyer in a sale of assets is in control of or under common control with the seller, the principle terms of the sale must be approved by at least 90% of the voting power

This bill would exempt from such provisions any transaction if the Commissioner of Corporations, the Insurance Commissioner or the Public Utilities Commission has approved the terms and condition of the transaction, and would make a similar exemption from the provisions governing agreements of merger.

Existing law provides that holders of shares in a corporation are entitled to have a certificate setting forth specified information, but exempts from this requirement a corporation which is the issuer of securities registered under the Securities Exchange Act of 1934 which has adopted a system not involving the issuance of certificates

This bill would further exempt a corporation which is the issuer of securities registered under the United States Investment Company Act of 1940 which adopts a system not involving any issuance of certificates

Existing law provides, for the purposes of determining whether a corporation may make a distribution to its shareholders, that no appreciation in value not yet realized may be included in determining the amount of the assets of a corporation.

This bill would delete this provision.

Existing law provides that the board of directors must cause an annual report to be sent to its shareholders, unless in the case of a corporation with less than 100 shareholders the requirement is expressly waived in the bylaws.

This bill would also provide that the financial statements of any corporation with fewer than 100 shareholders need not be prepared in conformity with generally accepted accounting principles if they reasonably set forth the assets and liabilities and the income and expense of the corporation and disclose the accounting basis used in their preparation

Existing law provides that provisions of the General Corporation Law which became effective January 1, 1977, shall become applicable to banks on January 1, 1978

This bill would provide that such law shall become applicable to banks on January 1, 1979.

Ch. 236 (AB 443) Wray Juvenile court law

Existing law authorizes the removal of a minor declared a dependent child or ward of the court from the physical custody of his parents or guardians under specified circumstances. A probation officer is required to make a social study of such a minor, containing such matters as may be relevant to a proper disposition of the case.

This bill would provide that if a probation officer determines to recommend to the court that a minor's removal from the physical custody of his parents or guardians is necessary, he shall give primary consideration to recommending to the court that the minor be placed with a relative of the minor, if such placement is in the best interests of the minor and will be conducive to reunification of the family.

Ch. 237 (AB 455) Bannai Elections: city councilmen

Existing law provides that if the elected mayor of a city serves a 2-year term and the election of the remaining members of the city council for 4-year terms is not evenly staggered, resulting in the election of 2 members of the city council at 1 general municipal election and 4 members of the city council at the next general municipal election, the city council may, on a 1-time basis only and prior to the first day for circulating nomination papers for such election, designate 1 of the 3 city council offices appearing on the general municipal ballot, other than to the office of the mayor, to serve a 2-year term.

This bill would extend such authorization to all instances of uneven staggering, regardless of the number of council members, and would further authorize the designation of the office, other than that of mayor, to receive the 2-year term as that which receives the least votes of those elected, or as determined by lot if there is a tie for such a position.

Ch. 238 (AB 506) Vicencia Alcoholic beverages

The Alcoholic Beverage Control Act specifies various grounds for the suspension or revocation of the licenses of persons licensed pursuant to its provisions.

This bill would add the plea of nolo contendere to designated public offenses to such grounds.

Ch. 239 (AB 577) Gualco Juvenile court law

Existing law authorizes the destruction of designated juvenile court records and papers at any time within a period of five years after the jurisdiction of the juvenile court over a minor has terminated if they are microfilmed or photocopied prior to destruction. The juvenile court record, minute book entries, dockets, and judgment dockets are excluded from such authorization.

This bill would include the juvenile court record, minute book entries, dockets, and judgment dockets within such authorization.

Existing law authorizes the destruction of juvenile court records and papers after five years from the date on which the jurisdiction of the juvenile court over a minor is terminated. The juvenile court record, minute book entries, dockets, and judgment dockets, other than those relating to juvenile traffic matters, are excluded from such authorization.

This bill would authorize the destruction of such records if they are microfilmed or photocopied prior to destruction.

Ch. 240 (AB 610) Hallett. State university and colleges; student body organizations.

Under existing law, generally, all unexpended funds and money collected on behalf of or by a student body organization of a state university or college may be deposited in a state-chartered savings and loan association or a savings account of a federal savings and loan association which is doing business in this state and has its accounts insured by the Federal Savings and Loan Insurance Company.

This bill would also authorize such investments in a federal or state credit union under similar specified conditions.

Ch 241 (AB 634) Maddy. Health.

Under existing law, a member of a peer review committee whose purpose is to review the quality of medical services rendered by physicians and surgeons, and a person who communicates to such a medical peer review committee, may not be held to be liable for damages for actions taken in connection with reviewing the quality of medical services of physicians and surgeons.

This bill would extend such immunity from liability to members of, and persons who communicate to, a peer review committee whose purpose is to review the quality of dental services rendered by dentists.

Ch. 242 (AB 645) Greene Reorganized Education Code: corrections.

Chapter 1010 of the Statutes of 1976 repeals the current version of the Education Code and reenacts a reorganized Education Code, to become operative on April 30, 1977.

This bill would add to the reorganized Education Code provisions inadvertently omitted therefrom, relating to (1) deductions from specified apportionments to school districts of school site nonuse payments and the cessation thereof; (2) allowances to school districts for maintaining adult education classes for prisoners; (3) the requirement, in the computation of average daily attendance for community colleges, that only attendance under the immediate supervision and control of a certificated employee be included; (4) the application to persons employed by community college districts, of provisions governing the evaluation, dismissal, and penalization of certificated employees of community college districts; (5) the incurrence by a California state university or college on year-round operations of specified obligations for summer quarter operations; and (6) inclusion of pricing structure abstractions in bids for the lease by a school district of relocatable structures.

This bill would restore to the reorganized Education Code provisions erroneously omitted therefrom, relating to: (1) defining "board for purposes of provisions relating to community college extended opportunity programs and services; (2) the duties of regional occupational centers and programs.

This bill would also make various technical, corrective, and clarifying changes.

This bill would take effect immediately as an urgency statute and would become operative on April 30, 1977, or the effective date of this act, whichever is the later date

Ch. 243 (AB 673) Chel. Civil law.

Existing law authorizes a guardian of an estate, under specified circumstances, to sell any real or personal property of the ward, but in the case of a sale for part cash and part deferred payments restricts the credit to terms of 10 years or less.

This bill would extend the permissible term for deferred payments to 20 years.

Existing law does not specifically authorize an executor or administrator of a decedent's estate to grant an option to purchase real property of the estate.

This bill would authorize an executor or administrator, upon court approval, to grant an option to purchase real property of the estate for a period within or beyond the administration of the estate, and would specify procedures to be followed to obtain court approval, including filing a verified petition stating terms and conditions of the proposed option and a court hearing on the petition, upon notice. The court would be required to issue an order approving the granting of the option if (a) good reason exists, (b) such option would be an advantage to the estate, and (c) it does not appear that a higher offer or better offer may be obtained. It would also provide that an appeal may be taken from an order directing or authorizing the granting of an option to purchase real property

The bill also would authorize an executor or administrator who has been granted authority to administer an estate without court supervision to grant options to purchase real property for a period within or beyond the administration of the estate.

Ch. 244 (AB 682) Antonovich. County warrants: place of payment.

Existing law requires the county treasurer to pay a valid warrant presented for payment from funds available in the county treasury.

This bill would, in addition, authorize the county treasurer to require payment of warrants at any bank at which money of the county is deposited.

Ch. 245 (AB 754) Vicencia Alcoholic beverages license fees

Existing law provides for a schedule of annual liquor license fees

This bill would additionally impose an annual renewal fee for such licenses equal to 10% of the current fee as contained in the schedule of annual liquor license fees. All money collected from the additional fee would be deposited into the General Fund rather than the Alcoholic Beverage Control Fund.

Ch. 246 (AB 816) Mello. Property taxation

Under existing law, a redevelopment agency is required to send a preliminary redevelopment plan to the auditor and tax collector of the county in which a proposed project is located.

This bill would require that such agency also send a copy of such plan to the assessor of such county.

Existing law requires the county allocating property taxes between a redevelopment agency and other taxing agencies to issue a report stating, among other things, the assessed value of locally assessed property within the project by blocks.

This bill, instead, would require such value to be reported by blocks if the property is divided by blocks or by such other geographical area as the county and the redevelopment agency may agree.

Existing law provides that the State Board of Equalization shall adopt a form of the statement of indebtedness required to be filed by redevelopment agencies.

This bill would, instead, require the Controller to prescribe the uniform form for such statement.

Under existing law, the property tax exemption shall not be granted to any organization which is not qualified as an exempt organization under specified provisions of the Bank and Corporation Tax Law or under Section 501 (c) (4) of the Internal Revenue Code.

This bill would provide that such exemption would also not be prohibited from being granted to an organization qualified as an exempt organization under Section 501 (c) (19) of the Internal Revenue Code.

Existing law does not specify procedures for claiming the exemptions for certain personal property which is being transshipped through California.

This bill would authorize the State Board of Equalization to establish procedures for claiming such exemption.

Existing law does not specify which state agency shall compute the ratios used in assessing taxable property owned by local governmental entities.

This bill would specify that the State Board of Equalization shall perform such computations.

Existing provisions of law specify that the State Board of Equalization shall ascertain the assessed value of any real estate belonging to an insurer, which shall be provided to local agencies, to be used as the sole basis for local taxation of such real estate.

This bill would repeal such provisions.

Existing law requires the county auditor to annually furnish the tax collector with blank unsecured property receipts, in a form prescribed by the State Board of Equalization.

This bill would, instead, require that the county auditor furnish the tax collector with such receipts in a form prescribed by the local board of supervisors.

This bill would also make certain nonsubstantive amendments.

Ch. 247 (AB 825) Mori. Real estate.

Under existing law applicants for all real estate licenses must submit proof of their honesty, truthfulness and good reputation. Further, an applicant for a real estate salesman's license must, among other things, submit a recommendation from the broker who is to be his employer certifying that the applicant is honest, truthful, and of good reputation.

This bill would delete the requirement of proof of good reputation as regard all applicants for real estate licenses, and delete the above-mentioned requirement for a recommendation in the case of an applicant for a salesman's license.

Under existing law funds allocated for education and research purposes from the Real Estate Fund are required to be used in the advancement of education and research in

real estate at the University of California, state colleges, and community colleges, or in contracting for particular research projects in the field of real estate for the state at any university in the state accredited by the Western Association of Schools and Colleges

This bill would additionally provide that such funds may be used to contract with any corporation or association qualified to perform such research

Ch 248 (AB 905) Knox Corporations

Existing law authorizes the Commissioner of Corporations to refer such evidence as is available concerning a violation of the law relating to corporations to the district attorney of the county in which the violation occurred.

This bill would authorize the commissioner and his counsel, deputies, or assistants, upon request of the district attorney, to assist in presenting the law or fact at the trial

Ch 249 (AB 985) Kaploff Geothermal resources. task force.

Existing law (Chapter 958 of the Statutes of 1976) provides for a state task force to study all aspects of the development of the geothermal resources of the state, including specific questions relating to such development, and requires the Secretary of the Resources Agency and the Director of the Office of Planning and Research to transmit the final report of the task force to the Legislature and the Governor not later than July 1, 1977. The existence of the task force terminates 6 months after transmittal of such report

This bill would include representatives of the State Air Resources Board, the State Solid Waste Management Board, and the Division of Mines and Geology on the task force and would extend the date by which such report is required to be transmitted to the Legislature and the Governor to December 31, 1977

The bill would also appropriate \$10,000 to the Resources Agency for expenses incurred by the task force.

The bill would take effect immediately as an urgency statute

Ch. 250 (AB 933) Stirling Lost and unclaimed property

Existing law requires the publication of a notice in a newspaper by the police department or sheriff's department for lost and unclaimed property of a reported value of \$25 or more where the owner does not appear and prove his ownership of such property within 90 days. If, after 7 days following the first publication of the notice, no owner appears and proves his ownership of the property, title to such property vests in the person who found or saved the property, except as specified.

Existing law provides that title to lost and unclaimed property vests in the person who found or saved it after the 90-day period in which no owner appears and proves his ownership, except as specified, where such property has a reported value of less than \$25

This bill would raise the property value limitations in the above situations from \$25 to \$50.

Ch 251 (AB 1226) Perino. California Conservation Corps. employee benefits

Existing law provides that employees holding positions in the California Conservation Corps shall not receive unemployment insurance or state retirement benefits

This bill would provide instead that corps participants, other than staff officers and employees, shall not receive unemployment insurance or state retirement benefits

The bill would provide that its provisions are declaratory of existing law and shall have retroactive effect.

This bill would take effect immediately as an urgency statute.

Ch. 252 (AB 1229) Perino County Employees Retirement Law benefits.

Existing County Employees Retirement Law of 1937 provides that the board of investments can make real estate investments only with the approval of the board of supervisors

This bill would permit real estate investments to be made with the approval of the retirement board with certain specified exceptions

Existing County Employees Retirement Law of 1937 authorizes counties to choose between different service retirement formulas

This bill would make conforming changes in provisions relating to county contributions, federally integrated plans, and mandatory retirement ages. The bill would also delete one of the alternative service retirement formulas

Existing County Employees Retirement Law of 1937 provides that a member may be retired for disability upon his application, his employer's, or any other person on his behalf.

This bill would also permit the retirement board or its agent to make such application

Ch. 253 (AB 1249) Stirling. Firearms: identifying numbers.

Existing law prohibits change, alteration, removal, or obliteration of the manufacturer's name, number, model, or other mark of identification on a firearm, with felony punishment for violation, and makes the addition of any number on a pistol or revolver, except as assigned by the Department of Justice, a misdemeanor.

This bill would delete the misdemeanor prohibition against adding numbers and would authorize the addition of any number or identifying indicium on a firearm which does not change, alter, remove, or obliterate the manufacturer's name, number, model, or other mark of identification.

Ch. 254 (AB 1255) Statham. Community colleges: contracts.

Under current law, community college districts may contract with approved private postsecondary schools to provide authorized skill training.

This bill would further authorize community college districts to contract with a public or private postsecondary institution in a neighboring state which borders on the district boundary to provide vocational skill training.

This bill would take effect immediately as an urgency statute.

Ch. 255 (AB 1215) Dixon. School classified employees.

The law currently prescribes certain criteria regarding promotional examinations for classified employees serving in school districts and community college districts having a merit (civil service) system for classified employees.

This bill would change the prescribed criteria by requiring that such examinations consist only of test parts that relate to job performance, rather than requiring such examinations to consist of at least two parts.

Ch. 256 (AB 1319) Lockyer. State funds: Pooled Money Investment Board.

(1) Existing law specifies securities eligible for the investment of certain surplus state funds.

This bill would add the portion of bank loans and obligations which are guaranteed by the United States Small Business Administration or the United States Farmers Home Administration to the list of eligible securities.

Ch. 257 (AB 1367) Lockyer. Contracts: payment bond for public works.

Existing law provides that in order for a payment bond to be approved it shall be executed by either 2 or more good and sufficient sureties or by a corporate surety and shall, among other things, provide that if the original contractor or his subcontractor fails to pay specified persons or amount due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant that the surety will pay for the same.

This bill would, with regard to sums due pursuant to the Unemployment Insurance Code provision, provide that such work or labor be performed under the contract rather than by any such claimant.

Ch. 258 (AB 1487) Dannemeyer. Children: protective services.

Existing law requires counties to establish specialized units of protective services for children to receive referrals and complaints alleging that the welfare of a child is endangered. The units are required to take necessary actions to protect the child, including the provision of institutional, foster or day care, or in-home care by a unit representative upon authorization by the superior court.

This bill would expressly authorize any county or combination of counties to contract on behalf of the child protective services unit with adult caretakers and other in-home supportive personnel, city or county agencies, local health districts, voluntary nonprofit agencies, proprietary agencies, or individuals for the provision of such child care.

Ch. 259 (AB 1888) Lancaster. School districts, declining enrollment.

(1) Existing law provides a formula for increasing a school district's ~~state apportionments~~ [revenue limit] * whenever a school district anticipates declining enrollment in excess of 1%. Declining enrollment is computed by subtracting the district's ~~prior~~ [budget] * fiscal year's average daily attendance from that of the ~~budget~~ [prior] * year

This bill would authorize the inclusion of certain transferred territory's A.D.A. in the prior fiscal year's A.D.A. in computing the extent of declining enrollment in the transferee district, and would require the exclusion of the transferred A.D.A. in the computation for the transferor district.

(2) Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.

This bill would take effect immediately as an urgency statute.

Ch. 260 (SB 337) D. Carpenter. Zero-base budgets.

Existing law generally requires every state agency to submit to the Department of Finance, for approval, a complete and detailed budget of proposed expenditures and estimated revenues.

This bill would, instead, require that proposed budgets for the 1978-79 fiscal year of 3 departments, divisions, bureaus, boards, commissions, or programs, as specified by the Governor, be prepared in accordance with zero-base budgeting principles, as specified, developed by the Director of Finance.

The provisions of the bill would remain in effect only until November 15, 1978, and as of such date would be repealed, unless a later enacted statute, which is chaptered before November 15, 1978, deletes or extends such date.

The bill would take effect immediately as an urgency statute.

Ch. 261 (SB 402) Greene. School classified employees.

(1) The law provides for the establishment of a classified service for noncredentialed personnel employed by school districts and community college districts and provides various rights and benefits, including tenure, for members of the classified service.

Under existing law, persons who are employed under certain specially funded federal programs under which entry is restricted by federal law or regulation to low income or other specifically designated classes of persons, are excluded from the regular classified service and are placed in a "restricted" category and are not accorded the full rights and benefits accorded classified employees generally.

This bill would exclude from the classified service altogether, persons employed by a school district or community college district in positions limited to not more than one year in duration established pursuant to a particular federal employment program (CETA).

(2) Existing law prescribes maximum amounts for certain school district work which districts may have performed by day labor or force account.

This bill would exempt Compton Unified School District from such provisions from July 1, 1977, through June 30, 1979, regardless of the effective date of this act because of certain specified unique circumstances.

This bill would take effect immediately as an urgency statute.

Ch. 262 (SB 422) Garamendi. Cemetery management and trust funds.

Existing law requires the trustees or corporate trustee of an endowment care fund or one or more special care funds to post a \$50,000 bond with the Cemetery Board guaranteeing payment of damages occasioned by breach of the trustees' or corporate trustee's fiduciary duties.

This bill would change such bond requirement, as follows:

(1) The scope of acts covered by the bond would be limited to fraud or dishonesty of trustees, and the bond would be characterized as a fidelity bond. Provisions expressly authorizing actions on the bond by the Cemetery Board and any aggrieved party would be deleted.

(2) The amount of the bond could be in the amount of the trust fund or funds administered if less than \$50,000 and if permitted by the Cemetery Board.

(3) The bond could be posted alternatively in the form of a cash deposit or bearer bonds or notes of the United States or this state.

(4) A prescribed fidelity bond on all officers and employees of the cemetery authority could be substituted for the otherwise required bond under prescribed circumstances.

(5) Banks authorized by state law to engage in the trust business would be exempted from posting the bond.

(6) The bond, if written by a surety, would be payable to the Cemetery Board. The bill would take effect immediately as an urgency statute.

Ch. 263 (SB 658) Stull. Citrus fruit: grapefruit: labeling.

Under existing law, generally, the Director of Food and Agriculture is authorized, by regulations, to designate labeling requirements for fruits, nuts, and vegetables.

This bill would authorize the labeling of White Marsh Grapefruit as "Golden Grapefruit" for varietal designation.

Ch. 264 (SB 716) Sieroty. Industrial loan companies

Existing law provides that the capital stock of an industrial loan company incorporated after July 9, 1975, shall not be less than \$750,000.

This bill would also require such companies to have a minimum unimpaired paid-in surplus of \$500,000.

This bill would take effect immediately as an urgency statute, citing facts therefor.

Ch. 265 (SB 731) Behr. Court commissioners.

Existing law does not authorize a court commissioner in Marin County to continue to serve after service retirement.

This bill would authorize the presiding judge of the superior court in Marin County to assign a court commissioner who was duly appointed and who has been retired for service to continue to serve as such after service retirement, if the board of supervisors appropriates the necessary funds.

This bill would take effect immediately as an urgency measure.

Ch. 266 (SB 788) Foran. Alcoholic beverages: escrow holder.

Existing law requires that the purchase price or consideration for the transfer of a business or license to sell alcoholic beverages be placed in escrow. It establishes a priority as to creditors with regard to payment if the purchase price or consideration is not sufficient to pay the claims in full.

This bill would make a technical change clarifying the nature of consideration subject to such division, and also makes changes with regard to the priority of classes of creditors.

Ch. 267 (SB 799) Johnson. Regional occupational programs: revenue limits.

Current law prescribes a method of computing the revenue limit of a county regional occupational center or program, based upon their expenditures in the 1974-75 or 1975-76 fiscal year.

This bill would prescribe a method of computing the revenue limit of a regional occupational center or program which began operation in the 1975-76 fiscal year.

Ch. 268 (SB 987) Russell. Regional occupational centers and programs.

Currently, the law provides for the establishment of regional occupational centers and programs by school districts and county superintendents of schools. As part of the center or program's activities, certain business activities may be undertaken.

This bill would authorize proceeds from business activities conducted by a regional occupational center or program to be deposited in a checking account or accounts of the center or program and disbursed for the necessary expenses of the business activity.

Ch. 269 (SB 1181) Zenovich. Fire protection districts: ambulance, rescue, and first aid services

Under existing law, fire protection districts are authorized to purchase and maintain ambulances and operate ambulances, rescue, and first aid services within or without the district.

The bill would authorize a fire protection district to contract with a private firm or corporation for ambulance, rescue, or first aid services

This bill would take effect immediately as an urgency statute

Ch. 270 (SB 1200) Marks. Antifreeze

Existing law authorizes the Director of the Department of Food and Agriculture to exempt specific combination antifreeze and coolant products from specifying boiling point requirements

This bill would authorize the director to exempt any product from such requirements provided they meet specified conditions.

The bill would take immediate effect as an urgency statute.

Ch 271 (AB 101) Greene. Bingo: authorized organizations

Existing law authorizes cities, counties, and cities and counties to adopt ordinances permitting certain nonprofit, charitable organizations to conduct bingo games under specified conditions.

This bill would authorize local ordinances to permit additional nonprofit organizations, including (1) specified labor, agricultural, or horticultural organizations; (2) specified fraternal beneficiary societies, orders, or organizations; (3) business leagues, chambers of commerce, real estate boards and boards of trade, civic leagues and organizations operated exclusively for the promotion of social welfare, and certain local employee organizations whose net earnings are dedicated exclusively to charitable, educational, or recreational purposes; (4) nonprofit pleasure and recreation clubs, (5) domestic fraternal societies, orders, or associations whose net earnings are devoted exclusively to religious, charitable, scientific, literary, educational, and fraternal purposes; and (6) mobilehome park associations and senior citizens groups, to conduct bingo games. The proceeds, with specified exceptions, of all such games are to be used only for charitable purposes.

Existing law permits a city, county, or city and county to impose a license fee not to exceed the actual cost of issuing such license on each organization which it authorizes to conduct bingo games.

This bill would instead limit the license fee to \$50 and require that one-half of the fee paid shall be refunded to an organization denied a license.

Existing law provides that it is a misdemeanor punishable by a fine not to exceed \$10,000 for any person to receive a profit, wage, or salary from an authorized bingo game.

This bill would provide it is also a misdemeanor punishable by such a fine to pay a profit, wage, or salary from an authorized bingo game and would provide that violation of any other provision of the law authorizing bingo games is a misdemeanor.

Existing law requires that an authorized organization shall conduct a bingo game only on property owned or leased by it and which property is used by such organization for an office or for organizational purposes.

This bill would specify that such property need not be used or leased exclusively by the organization.

Under existing law, certain organizations are exempted from bank and corporation taxes and their property, which is used for qualified exempted purposes, is exempted from property taxation

This bill would specify that an organization which is exempted from such taxes shall not be disqualified for such exemptions if it conducts bingo games, provided that the proceeds of such games are exclusively used for the charitable purposes of the organization.

This bill would take effect immediately as an urgency statute.

Ch. 272 (AB 113) Gualco. Insurance: contract provisions

Existing law does not prohibit a provision in a policy of disability insurance or a self-insured employee welfare benefit plan which provides for a reduction of loss of time benefits during a benefit period because of an increase in benefits payable under the Social Security Act, as amended

This bill would declare any such provision null and void on or after the effective date of this bill.

This bill would take effect immediately as an urgency statute.

Ch 273 (AB 187) Lunterman. Civil law.

Chapter 1357 of the Statutes of 1976 made various changes in the law, including revisions of terminology and definitions, regarding persons eligible for guardianship or conservatorship.

This bill would make nonsubstantive changes to eliminate potentially conflicting language.

Chapter 1357 of the Statutes of 1976 also contained a provision specifying that there were no state-mandated local costs imposed on local governmental entities in the 1977-78 fiscal year by the provisions of such chapter, but that there are state-mandated local costs in subsequent years that require reimbursement.

This bill would change such designation of fiscal year from 1977-78 to 1976-77, thus recognizing reimbursement to such local agencies for costs incurred thereunder, on or after July 1, 1977, the operative date of Chapter 1357.

Existing law requires a court to review within 3 years from January 1, 1977, all guardianships and conservatorships initiated pursuant to specified provisions and established prior to a specified date.

This bill would change the date of January 1, 1977, to July 1, 1977.

Existing law authorizes the court in guardianship or conservatorship proceedings, if the proposed ward or conservatee chooses to be represented by, but is unable to retain, legal counsel, to appoint the public defender or other attorney to represent such proposed ward or conservatee.

This bill would authorize a county without a public defender to compensate such other attorney in such proceedings. It would also require the ward or guardian, or conservatee or conservator, to pay for such court-appointed counsel if he or she has the present ability to pay all or a portion of the costs.

The bill would take effect immediately as an urgency statute, but would become operative on July 1, 1977.

Ch 274 (AB 224) Knox. Civil penalties

Various provisions of existing law prescribe the distribution of civil penalties recovered in civil actions brought in the name of the people by the Attorney General or by any district attorney, county counsel, or city attorney.

This bill would provide that civil penalties or other monetary awards recovered in any civil action brought jointly in the name of the people by the Attorney General, one or more district attorneys, or by one or more city attorneys, or any combination thereof, shall be paid as approved by the court.

In addition, the bill would authorize a district attorney, city attorney, or any combination thereof, in agreement with the district attorney or city attorney of another county, to act jointly in prosecuting a civil cause of action of benefit to his own county in a court of the other jurisdiction.

Ch. 275 (AB 248) Hayden. Skateboards: prohibited operation

Existing law authorizes any local authority to adopt rules and regulations prohibiting or restricting persons from riding or propelling skateboards in roadways.

This bill would make an exception from such authorization by prohibiting the propelling of any motorized skateboard on any sidewalk, roadway, or any other part of a highway or on any bikeway, bicycle path or trail, equestrian trail, or hiking or recreational trail.

This bill would provide that there shall be no reimbursement of, nor any appropriation to, any local governmental entity for costs incurred by it pursuant to the bill for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 276 (AB 1027) Perino. Schools: buildings

Existing law extends from June 30, 1975, to June 30, 1977, the time by which schools of the Stockton Unified School District must be brought into compliance with the structural standards of the Field Act.

This bill would grant a further extension of time until court ordered "magnet" schools are ready for occupancy, but would limit such extension to June 30, 1978, in any event.

This bill would take effect immediately as an urgency statute.

Ch. 277 (SB 196) Bill Greene. Community development commissions.

Under existing law, the legislative body of a community may enact an ordinance declaring a need for a community development commission which governs its redevelopment agency and housing authority under a single operating entity. The commission may also exercise any other powers regarding community development delegated to it by the legislative body.

This bill would authorize the legislative body to enact an ordinance declaring that the commission function only with respect to a redevelopment agency and, in such a case, the powers, duties, and responsibilities of a housing authority would not apply.

Ch 278 (SB 269) Alquist. Motor vehicles: New motor board: fees, weight and fuel efficiency.

(1) Under existing provisions of the Vehicle Code, there is, in the Department of Motor Vehicles, a new Motor Vehicle Board which consists of 9 members. Such provisions require that 4 of the members be new motor vehicle dealers. Also, 5 members of the board constitute a quorum for the transaction of business. Among other things, the board is given authority, under the Vehicle Code, to hear and decide certain disputes between a vehicle dealer and manufacturer with respect to a franchise existing between them. However, in a recent decision of the Court of Appeal of the State of California, Third Appellate District, it was concluded that because of the mandated dealer members of the board, and because of the nature of the disputes occurring between dealers and manufacturers, the board is invalidly constituted insofar as it is given the power to adjudicate such disputes.

This bill would prohibit any member of the board who is a new motor vehicle dealer from participating in, deliberating on, hearing or considering, or deciding, any matter involving a protest filed by a dealer concerning action proposed to be taken by a manufacturer.

The bill would also provide that, with respect to such matters, 3 members of the board who are not new motor vehicle dealers shall constitute a quorum.

(2) Under existing law, fees are imposed under provisions of the Revenue and Taxation Code and the Vehicle Code for original registration and the renewal of registration of vehicles.

This bill would also require the Department of Motor Vehicles, on or before January 1, 1979, to develop, and submit to the Legislature a proposed vehicle registration fee and license fee schedule for 1981 model year passenger vehicles, as defined, scaled according to weight, fuel efficiency, or some similar method. In developing such schedule, the department would be required to consult with the State Energy Resources Conservation and Development Commission, the State Air Resources Board, the Federal Environmental Protection Agency, and motor vehicle manufacturers.

This bill would take effect immediately as an urgency statute.

Ch. 279 (SB 302) Stull. Coachella Valley County Water District, federal contracts.

Existing law authorizes a county water district, including the Coachella Valley County Water District, to cooperate and contract with the United States under any act of Congress permitting cooperation. Among other things in such contract, the land which may be charged with taxes or assessments under the contract are required to be designated and described, and any such contract is required to be authorized at an election conducted after notice and hearing and approved by $\frac{2}{3}$ of the votes cast in the election. The payments on any such contract is required to be paid from annual assessments levied only upon land, exclusive of improvements and personal property, in the portion of the district to be served with water under the contract, which land is assessable for district purposes, which assessments are apportioned in accordance with the benefits, and which assessments may vary in the period of years and amount for each parcel of land so assessed.

This bill would authorize the Coachella Valley County Water District to enter a repayment contract with the United States as provided by the Colorado River Basin Salinity Control Act (43 U.S.C. 1571, et seq.) upon approval of such contract by the board of directors of such district, as specified and notwithstanding any other provision of law, except the Districts Securities Law, the District Securities Investigation Law of 1965, and the Irrigation District Federal Cooperation Law, and except that such repayment con-

tract would be required to be submitted to the State Treasurer for his examination and report and would be required to expressly exclude ad valorem taxation on all property as a source of revenue for such contract payments

The bill would take effect immediately as an urgency statute

Ch 280 (SB 561) Cusanovich. Licensed contractors surety

Under existing law any person claiming against any contractor's bond or cash deposit is authorized to maintain an action at law against the licensed contractor and the surety or cash depository

This bill would provide that if the surety makes payment on any such claim, whether or not payment is made through a court action or otherwise, the surety must deliver a prescribed notice to the registrar of contractors

The bill would provide that the act is to take immediate effect as an urgency statute

Ch 281 (SB 574) Beverly Counties boards of supervisors.

Existing law provides limits for counties generally with regard to the dollar amount of a contract, or a contract alteration, or for a sale or lease of real property

This bill would specifically provide that for counties with a population of over 6 million people, the board of supervisors may, by ordinance, authorize a county officer to take action with regard to specified activities where the amount involved does not exceed \$75,000 or, in the case of alterations, 10% of the original contract or \$75,000, whichever is less. Any such authorization would be required to contain detailed procedures governing the county officer in the exercise of such authority

Ch. 282 (SB 596) Dunlap School building aid.

Under existing law, the proceeds of various state school bond acts are available for apportionment to school districts in the form of a state loan for school construction purposes. Generally, an applicant school district is required to expend matching district funds on the project. A 20¢ district tax may be utilized for the district's matching fund portion of the project cost.

This bill would provide for an apportionment of \$1,250,000 to a school district which has met certain conditions, and would permit proceeds of a 20¢ tax levied by the district in 1973-74, and which were used by the district for the repair or replacement and furnishing of structurally unsafe school buildings, to be considered as local matching funds

The provisions of this bill would have no force or effect after June 30, 1979

The bill would take effect immediately as an urgency statute

Ch 283 (SB 696) Dills Teacher preparation and licensing

Under existing law, the Commission for Teacher Preparation and Licensing is required to meet each month, except that the chairman, with the approval of the commission, may omit meetings in July and August and the chairman may call additional meetings at other times

This bill would, instead, provide that the commission must meet once each month in no fewer than 10 months per year and that the chairperson, with the approval of the commission, may call additional meetings

Ch. 284 (SB 1059) Stull. Leased school facilities

Under current law, buildings which do not comply with the so-called Field Act may be leased for school purposes only if they are "temporary use buildings," which may be leased for a total duration of only 3 years.

This bill would permit a school district's continued use of a stadium leased from a city and would exempt the stadium from provisions of the Field Act until June 30, 1979, provided certain specified conditions exist

The bill would take effect immediately as an urgency statute

Ch. 285 (SB 1187) Stiern. Labor employment of minors

(1) Existing law expressly permits the employment of minors 16 years of age or over in agricultural, horticultural, viticultural, or domestic labor for more than 8 hours in 1 day or more than 48 hours in 1 week, notwithstanding limitations on the hours which such minors may work in other industries.

This bill would add express permission for such minors, if they are paid at least the adult minimum wage for all hours so worked, to work for more than 8 hours in 1 day or more than 48 hours in 1 week (i) in any industry, business, or establishment operated for the purpose of grading, sorting, cleaning, drying, cooling, icing, packing, or otherwise preparing any agricultural product for distribution, including all the operations incidental thereto and (ii) in any operation performed in a permanent fixed structure or establishment on the farm or on a moving packing plant on the farm for the purpose of preparing agricultural products for market when such operations are done on the premises owned or operated by the same employer who produced the products referred to herein, including all operations incidental thereto.

(2) Existing law provides that, notwithstanding the above provisions, employers are prohibited from employing minors 16 years of age or over in agricultural, horticultural, or viticultural labor for more than 6 hours on a day when the minor is required by law to attend school, or more than 20 hours in any school week in which the minor is required by law to attend school.

This bill would extend such prohibition to employers of such minors in any industry, business, or establishment described in (1) above

(3) The bill would take effect immediately as an urgency statute.

Ch. 285 (SB 1191) Dills. Appropriation: Department of Justice.

This bill would appropriate \$75,000 to the Department of Justice to pay the claim of Lillian M. Edwards against the State of California.

This bill would take effect immediately as an urgency statute

Ch. 287 (AB 201) Vicencia Vehicles: lighting equipment; warning devices.

(1) Under existing state law, stoplamps on vehicles are required to emit a red or amber light

This bill would require that stoplamps on vehicles manufactured on or after January 1, 1959, emit only a red light.

(2) Under existing state law, tow cars used to tow a vehicle are required to be equipped with and carry a taillamp, a stoplamp, and a portable electrical extension cord for use in displaying the lamps on the rear of a towed vehicle, as specified

This bill would require tow cars to also be equipped with, and carry, turn signal lamps for use in displaying the lamps on the rear of a towed vehicle

(3) Under existing state law, any motor vehicle engaged in, or aiding in, the herding of livestock along or across a public roadway may display flashing amber warning lights to the front and rear of the vehicle, as specified.

This bill would permit the display of such lights to the front, sides, or rear of the vehicle.

(4) Existing state law generally requires every vehicle 80 inches or more in overall width which, if operated during darkness, would be required to be equipped with clearance and side-marker lamps, and every truck tractor, to be equipped at all times with at least three spot torches, red electric lanterns, or red emergency reflectors

This bill would, instead, require that every such vehicle be equipped with at least three red emergency reflectors. The bill would also delete an obsolete cross-reference, and make related, conforming changes.

(5) Current state law does not permit vehicles to be equipped with exterior lamps for the purpose of lighting the entrances and exits thereof.

This bill would permit the equipping of any bus, housecar, or camper with exterior lamps for such purpose, while providing that the lamps may be lighted only when such vehicles are not in motion. The bill would impose restrictions as to the candlepower and wattage of such lamps, and would prohibit the lamps from projecting any glaring light into the eyes of an approaching driver.

(6) Under existing state law, the Department of the California Highway Patrol has by regulation, specified that "yellow," in the regulations, has the same meaning as "amber" in the Vehicle Code, and the department has defined the color yellow in terms of chromaticity coordinate boundaries.

This bill would specify, for purposes of the Vehicle Code, that "amber" has the same meaning as "yellow" and is within the chromaticity coordinate boundaries for yellow specified in regulations adopted by the department.

(7) Existing law prescribes the color of lamps and reflectors used on vehicles. Under existing law, taillamps, stoplamps, and turn signal lamps that are visible to the rear may be white when unlighted, and, with respect to vehicles manufactured after January 1, 1974, only such lamps that are in addition to the minimum required number and are visible to the rear may be white or amber when unlighted.

This bill would provide that the color of foglamps (as described in the Vehicle Code) may be in the color spectrum from white to yellow. The bill would also permit any taillamp, stoplamp, or turn signal lamp to have an unlighted lens color that is darker than the lighted color.

This bill would also revise such existing provisions by providing that taillamps, stoplamps, and turn signal lamps that are visible to the rear may be white when unlighted on vehicles manufactured before January 1, 1974, and that any such lamps that are in addition to the minimum required number may be white or yellow when unlighted.

(8) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

Ch. 288 (AB 144) Wornum. Abandonment of cemeteries.

Under current law, if it makes certain findings, the governing board of a city or county may declare the abandonment, for purposes of future interments, of any nonendowment care cemetery within its jurisdiction in which no more than 10 interments have been made during the preceding 5 years.

This bill would require a city or county which has adopted a resolution for such purpose to permit interments in such a cemetery of persons who, on the date of the resolution, are owners of a plot therein or otherwise have a vested right of interment.

Ch. 289 (AB 250) Chimbole. Air pollution: emissions: exceptions.

Under existing law, emissions meeting specified standards from any source are prohibited for more than 3 minutes in any hour unless excepted.

This bill would add to the exceptions, fugitive dust emissions from rock crushing facilities in the Southeast Desert Air Basin meeting specified requirements.

Ch. 290 (AB 266) Suitt. Desert Water Agency. ground water.

Existing law provides for the Desert Water Agency with specified powers. Such existing law also requires persons intending to dig, bore, or drill a water well to notify the agency of such intent and to furnish information concerning such well, and authorizes the agency to distribute water in exchange for ceasing or reducing ground water extraction and to fix water standby or availability charges on water made available by the agency through underground or by surface facilities. The agency has the power to spread and sink water for the beneficial use or uses and protection of the agency or its inhabitants or the owners of rights to water therein.

This bill would authorize the agency to levy and collect water replenishment assessments for the purpose of replenishing ground water supplies within the agency, would provide the procedure for making such levy and enforcing its collection, and would provide, on specified conditions, that extraction of ground water without specified water-measuring devices is punishable by a fine not to exceed \$300, imprisonment in the county jail not to exceed 30 days, or by both such fine and imprisonment.

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor appropriation made for a specified reason.

Ch. 291 (AB 370) Nestande. Joint exercise of powers.

Existing law provides that if a separate agency or entity is created by the agreement creating a joint exercise of powers agency, the agreement shall designate the treasurer of one of the contracting parties, or the county treasurer of a county in which one of the contracting parties is situated, to be the depository and have custody of all the money of the agency or entity.

This bill would provide that a separate agency or entity created by a joint exercise of powers agreement may designate a certified public accountant to act as treasurer of the entity.

Existing law provides that the officer performing the functions of auditor or controller for a joint exercise of powers entity shall be of the same public agency as the treasurer.

This bill would provide that, when a certified public accountant has been designated as treasurer of the entity, the auditor of one of the contracting parties or of a county in which one of the contracting parties is located shall be designated as auditor of the entity; and this bill would provide further that the governing body of the same entity as the auditor shall determine charges to be made against the joint exercise of powers entity for the auditor's services.

Ch 292 (AB 630) Duffy Temporary restraining orders: licensees.

Existing law permits a court, upon petition by a board within the Department of Consumer Affairs with approval of the Director of the Department of Consumer Affairs, to issue an injunction or other appropriate order restraining any licensee of any board comprising the Department of Consumer Affairs who has engaged or is about to engage in any specified act in violation of law.

This bill, in addition, upon such petition, would permit a court to issue a temporary restraining order or other appropriate order restraining such licensee licensed under specified provisions relating to the healing arts who has engaged or is about to engage in any specified act in violation of law from engaging in the business or profession for which the person is licensed, or any part thereof.

Ch 293 (AB 779) Chappie. Discrimination.

Existing law makes every person licensed under the Business and Professions Code subject to disciplinary action if, because of race, color, sex, religion, ancestry, or national origin, he refuses to perform his licensed activity, or aids or incites the refusal to perform such licensed activity by another licensee, or makes any discrimination, distinction, or restriction in the performance of his licensed activity.

This bill would additionally specify physical handicaps, as defined, as grounds for disciplinary action for refusal of a licensee to perform his or her licensed activity, or aiding or inciting another licensee to perform such licensed activity, or making any discrimination, or restriction in the performance of such licensed activity.

The bill would specify that existing architectural barriers do not constitute discrimination.

It would also specify that it is not discrimination for certain health care personnel to refuse to perform licensed activities where because of a physical handicap, the performance of the licensed activity would be beyond the skill of the licensee or better performed by another.

Ch 294 (AB 846) Cullen. Alcoholic beverages.

Existing law authorizes licensed beer manufacturers to sell beer to any person licensed to sell beer and to serve beer to persons visiting the premises of such manufacturer.

This bill would authorize such beer manufacturer to sell beer to consumers for consumption on the premises or on premises which are contiguous to such licensed premises.

Ch. 295 (AB 1072) Ellis. Armories: lease and contract.

Presently, the Adjutant General may lease or authorize the use of, supervise, and control armories either directly or through armory boards. An "armory" is not specifically defined to include training facilities.

This bill would revise the definition of armory to include training facilities. This bill would, in addition, allow the Adjutant General to lease or authorize the use of, supervise, and control armories through subordinate commanders.

Ch. 296 (AB 1150) Cordova. Shoplifting: prior felonies.

Existing law provides that any person previously convicted of petit larceny or petit theft who is subsequently convicted of petit theft is punishable by imprisonment in the county jail not exceeding 1 year, or in the state prison.

This bill would delete such penalty for prior convictions of petit larceny and would provide that any person convicted of petit theft, grand theft, burglary, or robbery who is subsequently convicted of petit theft is punishable by imprisonment in the county jail not exceeding 1 year, or in the state prison.

This bill would take effect immediately as an urgency statute, to be operative July 1, 1977.

Ch. 297 (AB 1178) Hayden. Elections ballot arguments.

Under existing law, arguments in favor of, and in opposition to local measures are printed in the ballot pamphlet

This bill would require such arguments to be identified as such by specified titles

Ch. 298 (AB 1205) Chappie Property tax information

Under existing property tax law, the county property tax assessor is required to maintain a list of property transfers in the county, other than transfers of undivided interests, which have occurred within the prior 2-year period, with specified information regarding such transfers, until May 1, 1980. Such list is required to be open to inspection by any assessee who has filed a timely application for reduction of his assessment before the local board of equalization or assessment appeals board, at the assessor's office upon payment of a specified fee

This bill would exempt counties with a population of under 50,000 people from these provisions

Ch 299 (AB 1280) Chel Unfair competition injunctive relief.

Existing law provides for injunctive relief by any court of competent jurisdiction against any person performing or proposing to perform an act of unfair competition. The statutory provisions authorizing such relief are contained in the Civil Code

Existing law also provides that a person who violates certain injunctions relating to unfair trade practices involving unfair competition is liable for a civil penalty not to exceed \$6,000 for each violation. The amount of the penalty is set by the court in accordance with specified criteria. An action to recover the penalty may be brought in specified courts, by the Attorney General, district attorneys, or city attorneys. It also provides for the payment of such penalty to the state, counties, or cities, or a combination, depending on who brought the action.

This bill would transfer such provisions from the Civil Code to the Business and Professions Code.

It would additionally provide for a 4-year statute of limitations in which to commence a specified cause of action

Ch 300 (AB 1729) Maddy School buildings Field Act

Currently, the law prohibits, with certain exceptions, the use, after June 30, 1975, of school buildings which do not conform to the structural standards of the so-called Field Act.

This bill would permit the continued use of a converted barracks building for classroom facilities of the Planada Elementary School District until the completion of replacement facilities, or until March 1, 1978, whichever occurs first, and would exempt the building from provisions of the so-called Field Act during the period of such continued use

This bill would take effect immediately as an urgency statute

Ch 301 (AB 1926) Lehman School facilities leases, maximum revenue limits

Under existing law, school districts may enter lease agreements for real property and buildings to be used by the district. The district must obtain voter approval therefor and must enter into the lease-purchase agreement within 3 years after voters of the district have approved the tax increase

This bill, which would apply only to the Clovis Unified School District, would make an exception to the calling and holding of an election for voter approval of such lease agreements for the lease or lease-purchase of athletic, physical education, and cultural facilities due to unique specified circumstances

This bill would remain in effect for 3 years after the effective date of this act, and as of that date would be repealed.

This bill would take effect immediately as an urgency statute

Ch. 302 (AB 1952) Keene School buildings Field Act

Currently, the law prohibits, with certain exceptions, the use, after June 30, 1975, of school buildings which do not conform to the structural standards of the so-called Field Act

An exception exists in the case of a school district which has let a contract for the

replacement of a nonconforming school building and the State Allocation Board has authorized the continued use of the nonconforming building pending its replacement. Under such circumstances, the State Allocation Board may authorize the continued use of the nonconforming building only until completion of the replacement facilities, or until June 30, 1977, whichever occurs first.

This bill would permit specified school buildings and facilities in Mendocino County to be used until June 30, 1980, or until permanent replacements have been constructed and are ready for occupancy.

The bill would take effect immediately as an urgency statute.

Ch 303 (AB 18) Rosenthal. Consumer commodities. pricing

Existing law requires any grocery store or grocery department which uses an automatic checkout system and which sells consumer commodities at retail to have a clearly readable price indicated on each consumer commodity offered for sale from April 1, 1976, to April 1, 1977

This bill would continue such requirement from April 1, 1977, to January 1, 1978.

Existing law exempts from such requirement consumer commodities not generally item-priced on June 30, 1975, with the Department of Consumer Affairs required to determine what consumer commodities were generally item-priced in California on such date

This bill would exempt from such requirements consumer commodities not generally item-priced on January 1, 1977, with the Department of Food and Agriculture to determine what consumer commodities were generally item-priced in California on such date.

This bill would appropriate \$5,000 to the Department of Food and Agriculture from the General Fund for specified purposes.

This bill would take effect immediately as an urgency statute

Ch. 304 (AB 234) Gage. State Bar of California.

Existing law provides that no member of the Board of Governors of the State Bar shall receive any other compensation than his necessary expenses connected with the performance of his duties as a member of the board.

This bill would provide that the public members of the board of governors, examining committee, and disciplinary boards shall receive \$50 per day for each day actually spent in the discharge of official duties, but in no event to exceed \$500 per month, in addition to any other amounts for expenses which may be received by such members

The bill would appropriate an unspecified amount from the General Fund to the State Bar for the purposes thereof.

This bill would also take effect immediately as an urgency statute.

Ch. 305 (AB 423) Kapiloff. Execution and attachment.

Existing law specifies that when a judgment creditor seeks a writ of execution against a dwelling house, the judgment creditor must apply to the court in the county in which the dwelling house is located for the issuance of a writ of execution

This bill would delete the requirement that a municipal court or justice court transfer a pending proceeding to determine the current value of a dwelling house for which an exemption is claimed to the superior court and would permit such determination to be made by the municipal or justice court.

This bill would prescribe the procedure for the giving of notice to the judgment debtor and other specified persons by the levying officer upon his receipt of the judgment creditor's application, the order to show cause, and the required accompanying notice or upon receipt of a writ of execution and the required accompanying notice

This bill would provide that specified provisions of existing law regulating the procedure for litigating a claim of exemption including the appeal of a denial or grant of such a claim shall be applicable to proceedings to enforce a judgment against a dwelling house.

This bill would also make technical clarifying changes.

It would make further changes in Sections 683 and 690.50 of the Code of Civil Procedure contingent upon the enactment and prior chaptering of AB 393.

This bill would take effect immediately as an urgency statute, to be operative July 1, 1977.

Ch. 306 (AB 770) Chacon. Schools: security personnel.

Under existing law, the governing board of any school district may establish a security patrol to ensure the security of school district personnel and pupils in or about school district premises and the security of real and personal property and to cooperate with local law enforcement agencies. Members of the patrol are classified as peace officers.

This bill would rename school security patrols as school security departments and would remove the restriction that school security personnel ensure the security of school district personnel and pupils "in or about school district premises."

Ch. 307 (AB 946) McVittie. Cocks: fighting exhibitions.

Existing law specifies that the fact that a mature cock's comb has been clipped to a length of three-quarters of 1 inch or less shall be prima facie evidence of intention to use or engage such cock in an exhibition of fighting in violation of misdemeanor provisions.

This bill would delete such provision

Ch. 308 (AB 1724) Hart. Community colleges athletics

Under existing case law, a person who is a student in a community college may not be prohibited from participating in intercollegiate athletics programs by the rules and regulations of a state association of junior and community colleges.

This bill would permit governing boards of community college districts to enforce rules and regulations relating to eligibility for, and participation in, intercollegiate athletics, which rules and regulations may include, but are not limited to, those adopted by a voluntary association, one of whose purposes is the governance of intercollegiate athletics

Ch. 309 (AB 99) Craven. Fiscal procedures.

Existing law specifies the procedure for claiming any reimbursement to local agencies of property tax revenues lost by reason of the repeal or reduction of property taxes on business inventories and certain other specified classes of property.

This bill would establish a procedure for claiming any reimbursement to local agencies of property tax revenues lost by reason of the repeal or reduction of any personal property taxes, in cases where no other procedure has been established.

Existing law requires each county auditor to file a claim with the Controller for personal property tax loss reimbursement by a specified date

This bill would, instead, require that claims for reimbursement of tax losses attributable to any personal property shall be filed by September 30, regardless of whether such property is on the secured roll or the unsecured roll, unless another procedure is provided for claims on specified types of property tax losses.

Existing law requires the 5-member State Board of Control to hear and decide on claims of local agencies and school districts that they have not been reimbursed for all local costs mandated by the state, including the classification or exemption of property for property tax purposes, sales and use tax exemptions and costs incurred by local agencies due to state-mandated programs.

This bill would limit such claims and reimbursement procedure to claims for costs incurred by local agencies due to state-mandated programs, and would specify that some of such claims be filed within 1 year of a specified deadline for reimbursement of a cost mandated by the state

Existing law contains provisions authorizing local agencies to levy and collect special taxes for various specified purposes and limits the use of revenues derived from such taxes to such specified purposes. Such provisions have previously been superseded to a large extent by general property tax limitations.

This bill would repeal several of such provisions.

Existing law appropriates all money deposited in the Cigarette Tax Fund to pay refunds, to pay the Controller an amount not to exceed \$150,000 per year, to pay a specified amount to cities and counties, and to pay the balance to the General Fund.

This bill would eliminate the payment of such funds to the Controller.

Existing law limits the maximum property tax rate which may be levied by local agencies.

This bill would revise the limitations placed on the maximum property tax rates such

local agencies may levy, and would revise certain procedures in the determination of such tax rate.

This bill would take effect immediately as an urgency statute.

Ch 310 (AB 281) Torres. Schools.

Existing law relating to certificated personnel employed by a school district to serve in children's centers does not deal specifically with the length of service required of such personnel in order to be classified as permanent.

This bill would provide that for the purposes of determining eligibility for classification as a permanent employee, service of 134 days, consecutive or nonconsecutive, by certificated personnel in a children's center during a one-year period, July 1 to June 30th, shall be considered as one year of service.

Under existing law, public school facilities are subject to local zoning ordinances, however, the law allows a school district, upon a two-thirds vote of its governing board, to override local zoning ordinances where the proposed use of the property is for classroom facilities.

This bill would afford similar authority to a county superintendent of schools in the case of facilities operated by the county superintendent that are leased from a nonprofit, nonsectarian residential treatment and education facility.

The bill would take effect immediately as an urgency statute.

Ch 311 (AB 488) Antonovich. Judges' Retirement Law benefits

Existing Judges' Retirement Law provides that any judge who became a judge prior to January 1, 1974, and whose service is discontinued by any means other than death, resignation, recall, impeachment, or retirement may leave his accumulated contributions in the Judges' Retirement Fund and, after attaining age 65, retire and receive a reduced retirement allowance.

This bill would provide that such judges shall be retired upon making application to leave their accumulated contributions in the fund and, after attaining age 65, shall receive the reduced allowance.

Ch 312 (AB 1688) Antonovich. Juveniles.

Existing law authorizes the board of supervisors of any county with a population of 5,000,000 or more to provide for a pilot project consisting of a juvenile court school to provide for the special education needs of wards and dependents of such court. It provides that any such project shall end January 1, 1978. It also contains an obsolete reference to a requirement that the Legislative Analyst report to the Legislature on the success of the pilot project on or before January 1, 1977.

This bill would delete the termination date of such pilot project as well as the obsolete reference.

It also would delete the reference to "pilot project school" in such provisions and instead substitute the term "school or schools."

Ch. 313 (AB 1837) Mangers. County boards of education: property.

Under existing law, various functions affecting schools within a county are the responsibility of the county board of supervisors. Authority exists for the board of supervisors to transfer responsibility for such functions to the county board of education. If the board of supervisors transfers certain specified functions, the county board of education becomes, by statute, invested with the power to acquire, hold and convey real property for the purpose of housing the offices and the services of the county superintendent of schools.

This bill would, where such functions had been transferred, also empower the county board of education to lease or lease-purchase property for the offices and services of the county superintendent.

The existing law prescribes the maximum countywide tax rate for the support of the county superintendent of schools, the county board of education, and the county committee on school district organization.

This bill would make technical changes in the manner of determining such maximum rate in the case of a county with an average daily attendance under the jurisdiction of the county superintendent of schools in excess of 450,000 in kindergarten and grades 1

to 12, inclusive, in which the county board of supervisors had transferred functions to the county board of education on or after July 1, 1975

The bill would take effect immediately as an urgency statute

Ch. 314 (AB 218) Chappie State claims.

This bill would appropriate \$2,400,742.93 from specified funds to the Director of Finance for allocation to the State Board of Control to pay unspecified claims of the Secretary of the State Board of Control.

This bill would take effect immediately as an urgency statute.

Ch 315 (AB 1127) Rosenthal Motion Picture Development Council.

Existing law provides that the Motion Picture Development Council shall have the power and authority necessary to carry out the duties imposed upon it by specified provisions of the law, including, but not limited to, certain enumerated powers. The power to employ necessary staff is not among those powers which are specifically enumerated.

The bill would expressly provide that the council may employ, pursuant to laws and regulations governing state civil service, such staff as may be necessary to carry out the duties imposed upon it.

This bill would appropriate \$44,640 to the council for expenditure by the council in performing its functions, powers, and duties.

This bill would take effect immediately as an urgency statute

Ch 316 (SB 155) Deukmejian. Death penalty.

Existing law provides for the imposition of the death penalty under procedures which have been invalidated by court decision because they lack provision for consideration of mitigating circumstances.

This bill would make such a mitigating circumstances provision in the law, as to certain crimes formerly subject only to the death penalty, and would impose life imprisonment without parole rather than death or life imprisonment with parole in other cases.

This bill would also define the proof necessary to prove murder involving the infliction of torture to require proof of intent to inflict extreme and prolonged pain, and would define the proof necessary to prove that the defendant aided or committed an act causing death to require proof that the defendant's conduct was an assault or battery or involved an order, initiation, or coercion of the killing.

The bill would provide that certain of its provisions would become operative only until the operative date of A.B. 513, if later than the operative date of this bill.

The bill would take effect immediately as an urgency statute.

Ch. 317 (AB 1225) Boatwright. Schools: revenue limits: taxation.

Current law requires that when the collection and distribution of local taxes from the secured roll results in an amount more or less than the amount otherwise prescribed by certain sections prescribing a maximum tax rate, the tax requirement for the succeeding fiscal year shall be adjusted accordingly.

This bill would specify that such adjustment shall not occur in school districts located in counties which utilize a certain alternative method of distributing tax proceeds.

This bill would take effect immediately as an urgency statute.

This bill shall remain operative until either AB 65, SB 525, or SB 809 is enacted and, upon the effective date of such bill, this bill is repealed.

Ch. 318 (AB 378) McVittie. State of California: deferment and waiver of amounts owing to.

This bill would defer payment of an obligation owed to the State of California until September 30, 1977, when a person has purchased a money order issued by Universal Money Order Company of Los Angeles with the intent of paying such obligation owed to the state with the money order.

In addition, this bill would prohibit the charging of any penalty or interest on such an amount during the period which it has been deferred and would provide for a return of any penalty or interest paid from the date of purchase of such money order to the operative date of the bill.

This bill would take effect immediately as an urgency statute.

Ch 319 (AB 874) Hughes Teacher preparation and licensing

Under existing law, each of the following appoints one representative as an ex officio nonvoting member of the Commission for Teacher Preparation and Licensing:

- (a) Superintendent of Public Instruction
- (b) Regents of University of California.
- (c) Trustees of California State University and Colleges.
- (d) Board of Governors of California Community Colleges.
- (e) California Postsecondary Education Commission.

Appointive members of the commission receive reimbursement of travel expenses.

This bill would also authorize the Association of Independent California Colleges and Universities to appoint one representative as an ex officio nonvoting member of the Commission for Teacher Preparation and Licensing

Ch 320 (AB 1017) Antonovich. Teachers. Committee of Credentials—terms of office

Existing statutes require the Commission for Teacher Preparation and Licensing to appoint the members of the Committee of Credentials and to fix the term of office at 2 years

This bill would provide for terms of office fixed by the commission but not to exceed 2 years

Ch 321 (AB 30) Knox. Taxation real estate trusts

Existing Bank and Corporation Tax Law provides that unincorporated trusts subject to taxation as corporations which qualify for federal tax purposes as real estate investment trusts under specified provisions of the Internal Revenue Code, as amended by Public Law 93-625, shall be entitled to a deduction for income distributed during the income year, in the computation of income with respect to which taxes shall be imposed

This bill would provide, instead, that corporations, trusts and associations which qualify as real estate investment trusts under certain provisions of the Internal Revenue Code, as amended by Public Laws 93-625 and 94-453 shall be entitled to such income distribution deduction and to a deduction for deficiency dividends, as defined, and would apply in the computation of taxes with respect to tax returns due on or after the effective date of this bill

This bill would take effect immediately as an urgency statute.

Ch 322 (AB 186) Wornum Marin Municipal Water District

Existing law authorizes the Marin Municipal Water District to enter into contracts for the lease or purchase of water and of water rights, and prohibits the exercise of such powers without the approval of a majority of the voters of the district voting at an election thereon, if the resulting debt or liability in any year would exceed the income or revenue for such year. In providing for such elections, existing law also makes inapplicable the provisions of law which provide for rebuttal arguments on local ballot propositions.

This bill would remove the exemption and would make the provisions of law providing for rebuttal arguments on local ballot propositions applicable to elections for voter approval of incurring such debt

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason

Ch 323 (AB 212) Knox Sanitary districts: name change

Under existing law, there is no provision authorizing a change of name of a sanitary district created under the Sanitary District Act of 1923.

This bill would authorize the board of directors of a sanitary district created under the Sanitary District Act of 1923, by resolution, to change the name of the district. Any name resulting from such a change would have to include the words "Sanitary District" The change in name would be effective upon the filing of a certified copy of the resolution with the Secretary of State and the recording of a certified copy of the resolution with the county recorder of the county or counties of the district

Ch. 324 (AB 243) Gualco. Municipal utility districts: local control of construction.

Existing law does not require municipal utility districts to hold a public hearing and submit any proposed construction of transmission or distribution lines or structures to the legislative bodies of all cities and counties wherein such facilities would be located.

This bill would impose such a requirement. The bill would provide that the governing board of the district may render a local agency's decision inapplicable if the district finds there is no feasible alternative to the district's proposal. The bill would not apply to facilities proposed to be located within any local agency which has not adopted an ordinance setting forth specified criteria or to any electrical distribution lines of less than 100,000 volts. It would also provide that failure of a legislative body to render a decision within 60 days would be deemed to constitute an approval of the proposed facility. The bill's provisions would apply to both general law and charter cities and counties.

The bill would provide that its provisions do not apply to facilities or structures for which a final building permit has been issued and upon which construction has begun at the time this act becomes effective.

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

Ch. 325 (AB 258) Maddy. Vehicles: stolen: inspections of private facilities.

Under existing statutory law, a member of the California Highway Patrol is authorized to inspect any vehicle of a type required to be registered under the Vehicle Code on a highway or in any public garage, repair shop, parking lot, used car lot, automobile dismantler's lot, or other similar establishment, for the purpose of locating stolen vehicles, investigating the title and registration of vehicles, or inspection of wrecked or dismantled vehicles.

This bill would authorize a member of the patrol, for the purpose of locating stolen vehicles, to also inspect any vehicle in a vehicle shredding facility, vehicle leasing or rental lot, vehicle equipment rental yard, or vehicle salvage pool. The bill would also specifically authorize a member to inspect the title or registration of vehicles in order to establish the rightful ownership or possession of the vehicle.

In addition, all the above provisions would be made applicable to implements of husbandry, special construction equipment, and special mobile equipment.

The bill would also require whenever possible, that such inspections be conducted at a time and in a manner so as to minimize any interference with, or delay of, business operations.

Ch. 326 (AB 313) Chappie. Vehicles: movement under permit.

(1) Under existing law, a one-trip permit may be issued by the Department of Motor Vehicles for \$5 to move or operate a vehicle unladen for one round trip to be completed within 60 days from a place of operation or usage, where registration of the vehicle is otherwise not required, to a garage or repair shop for alteration or repairs, provided that the total round trip does not exceed 100 miles. To be valid, a copy of the permit is required to be forwarded to the department. In addition, certain vehicles, including a vehicle which has been disabled as the result of an accident, while being moved for the purpose of repairs, may be moved or operated under a permit issued by the department for no fee.

This bill would revise such provisions by instead authorizing the movement of a vehicle to or from a garage or repair shop for repairs or alterations, and from one place to another for the assignment of a vehicle identification number or for the inspection of pollution control devices, under a permit issued by the department for no fee. The requirement regarding the forwarding of a copy of the permit to the department would be deleted.

(2) Under existing law, owners of foreign commercial vehicles subject to registration under the Vehicle Code may, in lieu of registration and for a specified fee, secure a temporary registration to operate in the state for a period of up to 90 days, or a trip permit to operate for a period of 5 consecutive days. No such permit is valid unless a copy has been mailed to, or retained by, the department. Each permit is also required to be carried in the vehicle or in the vehicle supplying the motive power therefor.

This bill would delete the requirement that a copy of the permit be mailed to, or retained by, the department. The bill would also revise the requirement regarding the

carrying of the permit by instead requiring that each such trip permit be signed and dated on the day the trip commences and, (a) with respect to a vehicle not having a windshield, be carried on the vehicle and be readily available for inspection by a peace officer, and, (b) with respect to a vehicle having a windshield, including a vehicle supplying the motive power for another vehicle, be displayed on the lower right corner of the windshield. The bill would specify that it is unlawful for any person to fail to comply with such provisions

(3) Existing law requires that any person registering a vehicle under provisions of the Vehicle Code permitting proportionate registration and licensing retain the records upon which the application for such registration and licensing is based for 4 years following the year of application and make the records available to the department for audit.

This bill would, in addition, require such person to retain a copy of all trip permits issued pursuant to specified provision of the Vehicle Code for 4 years.

(4) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason

Ch 327 (AB 440) Vicencia. Acceptance of grants and gifts.

Existing law requires the Department of General Services to approve grants and gifts made to the Department of Health

This bill would, instead, require the Department of Finance to approve such grants and gifts.

Ch 328 (AB 675) W. Thomas Noxious weeds.

Under existing law, certain plants are designated as either primary or secondary noxious weeds and the Director of Food and Agriculture is granted authority to designate other plants as primary or secondary noxious weeds

This bill would revise the existing law to remove the designation of specific plants as noxious weeds and give the Director of Food and Agriculture the authority to designate prohibited or restricted noxious weed seed, as defined. The director would also be authorized to establish labeling requirements for coated, pelleted, encapsulated, mat, tape or any other germination medium or device.

The bill would also make unlawful the sale of seed meeting specified federal requirements, by variety name, without approval of the owners of the variety

The bill would also provide there would be no reimbursement of local agencies for costs incurred by them pursuant to the bill for a specified reason

Ch 329 (AB 659) Chel. Taxation jeopardy determination hearings.

Under the existing Sales and Use Tax Law, Gasoline Tax Law, Use Fuel Tax Law, Cigarette Tax Law and Alcoholic Beverage Tax Law, a hearing is provided on a jeopardy determination only if a petition is filed and security is posted within 10 days of such determination.

This bill would set up procedures for the Board of Equalization to grant a hearing to a taxpayer before his assets are sold to satisfy a tax liability in compliance with recent decisions of the California courts.

Ch. 330 (AB 742) Knox. Health.

The State Employees' Medical and Hospital Care Act authorizes contracts with carriers for health benefit plans for public employees.

This bill would also authorize contracts with specified health care service plans and health maintenance organizations.

The provisions of the Knox-Keene Health Care Service Plan Act of 1975 authorize the Commissioner of Corporations to issue cease and desist orders respecting violation of such act and provide for hearings thereon.

This bill would amend such provisions to make a nonsubstantive and a technical, corrective change.

Ch. 331 (AB 756) Vicencia. Food and Agriculture: glassware testing.

Under existing law, there are specified fees paid to the Department of Food and Agriculture for examining the equipment of licensed milk or cream testers.

The bill would instead require the Director of Food and Agriculture to set such fees at a level to cover the actual costs of such examination.

Ch. 332 (AB 1269) Maddy. Family law.

Under existing law, a spouse may not make a gift of, or dispose of, community personal property without a valuable consideration.

This bill would provide that a spouse may not make a gift of, or dispose of, community personal property without a valuable consideration without the written consent of the other spouse.

Under existing law, if obligations for the support of the spouse are discharged in bankruptcy, a court may make proper orders for the support of the spouse. However, if obligations for property settlements to a spouse are discharged in bankruptcy, the court may not, because of that discharge, make orders for the support of the spouse.

This bill would provide that if obligations for property settlements to a spouse are discharged in bankruptcy, the court may make proper orders for the support of the spouse and the amount of any obligation under a property settlement agreement which are discharged.

The bill would also make technical changes in provisions relating to the marriage relationship.

Ch. 333 (AB 1675) Mangers. Outdoor school programs.

Existing law authorizes any county superintendent of schools, with the approval of the county board of education, to enter into agreements with school district and community college governing boards to provide programs and classes in outdoor science education and conservation education to pupils.

This bill would also authorize such agreements to be entered into with private schools for their students.

This bill would take effect immediately as an urgency statute.

Ch. 334 (AB 1716) Chel. Community property.

Existing law provides that when a spouse by will bequeaths or devises his or her interest in community property to the surviving spouse, no administration is necessary, except that where the surviving spouse's interest is in the nature of a qualified ownership, including when the time of enjoyment is deferred or limited.

This bill would specify that a bequeath or devise to a surviving spouse, conditioned upon such spouse surviving the deceased spouse by a specified period of time, shall not be considered to create a qualified ownership as to necessitate administration, if the specified period of time has expired.

Ch. 335 (AB 1862) Chacon. City cemeteries: abandoned plots.

No provision of state law presently authorizes a procedure for obtaining a court order declaring a plot in a city cemetery to be abandoned and releasing it for resale or reconveyance, although provisions of this type exist with respect to cemetery districts.

This bill would make such a procedure available to cities owning and operating a cemetery.

Ch. 336 (AB 521) Egeland. Courts.

Existing law specifies the salaries for regular official reporters and official reporters pro tempore in San Benito County.

This bill would increase such salaries.

Existing law requires payment to the county clerk of specified filing fees in various actions or proceedings.

This bill would increase such filing fees in San Benito County.

Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in certain counties, and to audit and inspect such records, and submit an annual report to the boards of supervisors of the certain counties and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for San Benito County and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of San Benito County and the Legislature

The bill makes certain findings concerning court reporters and their salaries.

This bill would make the provisions of the bill which relate to San Benito inseverable

The bill would further provide that no appropriation or reimbursement of local agencies is made for costs incurred by them pursuant to this bill for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch 337 (SB 597) Presley Courts: Riverside and San Bernardino Counties

Existing law specifies the fees for filing various documents in the superior courts.

This bill would increase the fee for filing various documents in the superior court in Riverside County and would make such fee increase inseverable from provisions of existing law relating to the maintenance of records regarding court reporters in Riverside County

Chapter 1443 of the Statutes of 1976 increased the salaries for regular official reporters and official reporters pro tempore in San Bernardino County and also contained a provision making such salary increase inseverable from provisions of existing law relating to the maintenance of records regarding court reporters in San Bernardino County.

This bill would make a technical change in such inseverability provision and in so doing would make other technical, conforming changes.

Ch 338 (SB 171) Song Alcoholic beverage licenses.

Existing law provides that on the death, insolvency or incompetency to act of a natural person who is an alcoholic beverage licensee, the privileges of the license may be exercised by a competent surviving colicensee for 30 days or until one of the specified persons has been appointed. At the end of this period the privileges of the license may be exercised for 60 days without transfer by the administrator, conservator and other designated persons

This bill would permit the receiver, as well as other specified persons, of an insolvent alcoholic beverage licensee to exercise the privileges of the license for the 60 day period without a transfer of the license

Ch 339 (AB 607) Nestande Marriage

Existing law provides that marriage is a personal relationship arising out of a civil contract. It also provides that any unmarried person of the age of 18 years or upwards, and not otherwise disqualified, is capable of consenting to and consummating marriage. It also delineates the special circumstances in which a person under the age of 18 is capable of consenting to and consummating marriage.

This bill would instead specify that (1) marriage is a personal relationship arising out of a civil contract between a man and a woman; (2) any unmarried male of the age of 18 years or upwards, and any unmarried female of the age of 18 or upwards, are capable of consenting to and consummating marriage, and (3) make a related technical change in the provision relating to persons under the age of 18.

Ch 340 (AB 72) Greene State school building aid bonds.

Existing law contains various state school bond acts which, having been approved at a statewide election, authorize the state to sell general obligation bonds to provide a source of funds from which loans may be made to school districts to finance school construction

This bill would enact the State School Building Aid Bond Law of 1978 which, upon approval by the state electorate, would provide for the issuance of state general obligation bonds in the amount of not to exceed \$350,000,000 and the expenditure of the revenues therefrom to provide aid to school districts in accordance with the State School Building Aid Law of 1952 and the State School Building Lease-Purchase Law of 1976.

The bill would provide for the submission of the proposed bond act to the electorate as the first proposition on the ballot of the direct primary election to be held June 1978.

Ch. 341 (AB 83) Fenton Labor: occupational safety and health.

Existing law permits the State Department of Health to enter into agreements with local health departments to conduct inspections and evaluations of occupational health problems in places of employment, provided such agreements have the specific agreement of the Department of Industrial Relations and other criteria are met.

This bill would, instead, require the State Department of Health to enter into such an agreement with a local health department, but only after a request therefor has been made by the local health department. Any such agreement would have to have, in addition to the agreement of the Department of Industrial Relations, the approval of the United States Department of Labor. Inspection services performed under such an agreement would have to comply with designated standards.

Ch. 342 (AB 109) Chacon Housing.

(1) Current law empowers housing authorities (a) to provide financing for construction or rehabilitation of residential structures for persons of low income and (b) to lend upon the security of a deed of trust in connection with the sale of real property to persons of low income or the implementation of government housing and rehabilitation-financing programs for persons of low income. However, any housing authority engaged in such financing activities is required to be certified as a qualified mortgage lender under the Zenovich-Moscone-Chacon Housing and Home Finance Act.

This bill would eliminate the requirement for certification as a qualified mortgage lender under the Zenovich-Moscone-Chacon Housing and Home Finance Act as a precondition to engaging in such financing activities, except with respect to the conduct of financing activities pursuant to such act.

(2) Under existing law relocation payments made under specified provisions of federal or state law, to persons displaced pursuant to specified portions of the Zenovich-Moscone-Chacon Housing and Home Finance Act are limited to the reasonable cost of a replacement dwelling adequate to accommodate the displaced person, without comparison to the replaced dwelling, less the amount received of the sale of the replaced dwelling.

This bill repeals that limitation on relocation payments.

Ch. 343 (AB 114) Deddeh Wages: contractual custodial services for public utilities.

Existing law provides that when a public utility contracts out the performance of custodial or janitorial services for the utility, the contract for such services shall specify that the contractor pay "prevailing wages," as defined.

This bill would require the public utility to implement that contract requirement by requiring the contractor to pay its employees the prevailing wage and by including a contract provision making the contractor's failure to do so cause for termination of the contract.

This bill would also redefine the term "prevailing wage" to mean the wages for janitorial or custodial employees employed by a public utility as determined by the Director of Industrial Relations, as specified.

This bill would require every contractor to whom a contract is awarded by a public utility and every subcontractor under such contractor to pay not less than the prevailing wage to such employees and would require the Division of Labor Standards Enforcement to enforce the foregoing requirement as provided in specified provisions of existing law.

Ch. 344 (AB 165) W. Thomas Elections: late campaign contributions.

Existing law, contained in the Political Reform Act of 1974, requires the report, within 48 hours of its receipt, of a contribution of \$1,000 or more received after the closing date of the last campaign statement required to be filed prior to an election and requires the report of certain information regarding the contributor.

This bill would require the above report to be filed instead within 48 hours of the receipt of the late contribution in the case of the candidate or committee receiving the late contribution or within 48 hours of making the late contribution in the case of the candidate or committee making the late contribution and would specify the place of filing.

This bill would, in addition, require the amount of the late contribution to be reported

at such time. This bill would require that a late contribution be reported by telegram or by personal delivery. This bill would require a committee or candidate making or receiving a late contribution to file a report disclosing the same information as that required of the recipient of a late contribution. This bill would also clarify the reporting requirements applicable to late contributions and loans by specifying that they shall be aggregated during the late contribution filing period for the purpose of the \$1,000 threshold. This bill would include loans within the scope of the late contribution provisions.

This bill contains a finding that its provisions further the purposes of the Political Reform Act of 1974. This bill would take effect immediately as an urgency measure.

Ch. 345 (SB 28) Holmdahl. Office for Economic and Business Development.

(1) Existing law provides for the existence, in the Agriculture and Services Agency, of the Department of Commerce consisting of specified divisions with certain functions, duties, and powers relating to commerce.

This bill would repeal provisions of the law providing for the Department of Commerce.

(2) The existing law provides for a Division of Economic Development in the Department of Commerce with specified functions and activities relating to the state's economic development including: gathering, analyzing, and correlating pertinent information; sponsoring and conducting specified studies; and preparing and submitting, pursuant to certain procedures, reports to the Governor and Legislature of the activities of the division and recommendations for such executive or legislative action as may be necessary to improve the business climate of the state.

This bill would abolish the Division of Economic Development and would enact the "Holmdahl-Rains-Lockyer Economic Development Act of 1977" to create, in the Business and Transportation Agency, the Department of Economic and Business Development to be headed by a Director of Economic Development, appointed by the Governor subject to Senate confirmation, who would receive an annual salary of \$37,212.

The department would be divided into 5 offices: the Office of Economic Planning, Policy, and Research Development; the Office of Local Economic Development, the Office of Business and Industrial Development, the Office of Visitors Services; and the Office of International Trade. Each office would be headed by an assistant director, under the direction of the director, appointed by the Governor upon recommendation by the director.

The department would have specified powers, duties, and functions relating to economic and business development, including, among others, the duty to coordinate federal-state-local relationships in economic development; apply for and allocate specified federal funds; and assist state agencies, offices, and departments to implement the state economic policy pursuant to specified provisions of the law.

In addition, the department would be required to prepare and submit to the Governor and the Legislature, not later than the 60th calendar day of each regular session, a report of the activities of the department and recommendations for such legislative or executive actions as may be necessary to promote and enhance economic development in the state.

This bill would also require the creation of an Advisory Council, not to exceed 21 persons with specified backgrounds, to advise the Director of Economic Development in carrying out the functions and duties of the department. Twenty of the members would be appointed by the Governor, with one member appointed by the Chairman of the Commission for Economic Development. It would provide for appointments by the Senate Rules Committee and the Speaker of the Assembly in the event the Governor fails to make an appointment or fill a vacancy.

The bill would also provide for the transfer of duties, funds, papers, and personnel from the Economic Development Unit in the Department of Housing and Community Development to the Department of Economic and Business Development.

Existing law authorizes the Department of Employment Development to contract under certain conditions with specified public and private agencies for the provision of housing or shelter and other services to migratory and to agricultural workers.

The bill would transfer such authority to the Department of Housing and Community Development, operative on July 1, 1979.

In addition, specified provisions of the bill would become operative on July 1, 1979.

The bill would also appropriate \$300,000 to the Department of Economic and Business Development for the purposes of the act

Ch. 346 (SB 55) Stull. Elections

Existing law provides that a person may prove his United States citizenship by his certification under penalty of perjury on his affidavit of registration

This bill would provide that such certification of citizenship must be deemed evidence of citizenship for voting purposes only.

Ch. 347 (AB 267) McAlister Education: bus transportation

Existing law authorizes the governing board of any school district to allow pupils entitled to attend the schools of the district, but in attendance at private schools, transportation upon the same terms and in the same manner and over the same routes of travel as permitted pupils attending the district schools.

This bill would extend such authorization to county superintendents of schools.

Ch. 348 (SB 685) Beverly. Vehicles: prohibited wearing of headset, earplugs; exceptions.

Under existing provisions of law, no person operating any motor vehicle, except law enforcement personnel when on duty and any person engaged in the operation of either special construction equipment or equipment for use in the maintenance of any highway, may wear any headset covering, or any earplugs in, both ears.

This bill would exempt from such provisions any person engaged in the operation of refuse collection equipment who is wearing a safety headset or safety earplugs.

Ch. 349 (AB 386) Alatorre. Cosmetology

Existing law provides that as a requisite of licensure as a cosmetology instructor such person, among other things, must have had at least 600 hours of teacher training and 1 year of practical experience within the past 3 years in all branches of cosmetology, except electrology.

This bill would revise such requirements to provide that such person have either 600 hours of teacher training or 1 year of practical experience.

Ch. 350 (AB 415) Alatorre. Karate matches and contests.

Existing law prohibits minors from participating in any professional or amateur full-contact karate exhibition, match, or contest.

This bill would grant an exception to a person who is 16 years of age or over and who is registered in amateur full-contact karate in this state from the prohibition against participating in amateur full-contact karate contests or matches. The bill would require contestants under the age of 18 years to wear approved protective headgear.

Ch. 351 (AB 422) Alatorre. Cosmetology.

Existing law provides for a provisional license as a cosmetology instructor and provides that such a provisional license authorizes such person to practice as a cosmetology instructor in a licensed school of cosmetology on the basis of 1 licensed provisional instructor for each 2 licensed cosmetology instructors.

This bill would provide that there may be 1 provisional instructor for each licensed cosmetology instructor in such schools of cosmetology.

Ch. 352 (AB 655) Chappie. Off-Highway Vehicle Fund: transfers.

Existing law requires transfers of moneys in the Motor Vehicle Fuel Account in the Transportation Tax Fund to the Off-Highway Vehicle Fund on October 1 of each year in an amount equal to the estimate contained in a report of the Department of Transportation of the amounts therein attributable to unrefunded taxes imposed on distributions of motor vehicle fuel used in the off-highway operation of vehicles subject to identification as off-highway motor vehicles and used in motor vehicles subject to registration while engaged in off-highway recreational use.

This bill would require monthly transfers determined on the basis of that estimate. The bill also would delete obsolete provisions and make various technical changes. Inasmuch as this bill would authorize transfers of money to the Off-Highway Vehicle Fund sooner than would otherwise be the case, this bill makes an appropriation.

Ch. 353 (AB 708) Boatwright. Fish and game fees

Existing law prescribes various fees for certain fish and game licenses. Such fees are deposited in the Fish and Game Preservation Fund and are continuously appropriated for specified purposes.

This bill would:

- (a) Increase the fee for antelope licenses from \$15 to an amount determined by the Fish and Game Commission, not to exceed \$100
- (b) Increase the maximum fee for elk licenses from \$50 to \$100.
- (c) Increase the fee for permits for taking for scientific, educational or propagation purposes from \$5 to \$10, and the fee for a student permit for such purposes from \$1 to \$5.
- (d) Increase the fee for duplicate commercial fishing, packing, and processing licenses from \$3 to \$5 and the fee for duplicate hunting or sport fishing licenses from \$1 to \$2
- (e) Increase the fee for a commercial hunting club license from \$25 to \$100.
- (f) Increase the fee for a domesticated waterfowl shooting license from \$25 to \$50
- (g) Increase the fee for a freshwater bait fish license from \$10 to \$25.

Ch. 354 (AB 883) Ryan. Minors: medical treatment.

Under existing law, minors are authorized to consent to certain contracts and such contracts are not disaffirmable because of minority.

This bill would specifically authorize a minor 12 years of age or older, who is alleged to have been raped, to consent to the furnishing of hospital, medical, and surgical care related to the diagnosis or treatment of such condition, and the collection of medical evidence with regard thereto. It would provide that such consent is not subject to disaffirmance because of minority.

Ch. 355 (AB 1002) Hallett. Teachers' Retirement System, State: benefits.

Existing State Teachers' Retirement Law permits retirees to be employed in a position requiring certification qualifications for not more than 120 days or to earn not more than \$5,000, whichever occurs first, in any fiscal year.

This bill would instead permit retirees to be employed by a school district or other employing agency subject to the system for not more than 120 days or to earn not more than \$5,000, whichever occurs first, in any fiscal year. The bill would also provide that any retiree who exceeds those limits in the first year of retirement would be reinstated to membership at the end of 1 year; however, their retirement allowance would be terminated after they exceeded the limits, and that a retiree in the second or subsequent year of retirement would be reinstated automatically to membership upon exceeding the limits.

Under existing law, governing boards of school districts and community college districts may award consultancy contracts to retired certificated employees of school districts who have been employed by the district for at least 10 years and who are at least 55 years of age. Existing law also permits such contracts to be renewed on an annual basis for up to 5 years or until the employee reaches age 65, whichever comes first.

This bill would also authorize such contracts to be entered into with similarly retired employees of the county superintendent of schools and would make a similar provision applicable to county superintendents of schools and their retired employees and retired employees of a school district or community college district of the county.

The bill would take effect immediately as an urgency statute.

Ch. 356 (AB 1480) Deddeh. Otay Municipal Water District: payment of claim

Existing law does not provide for reimbursement and satisfaction by the state of the Otay Municipal Water District's costs of debt service in connection with general obligation bonds issued by the district for the completion of a water system on Otay Mesa.

This bill would appropriate \$238,253, or so much thereof as is necessary, for disbursement, without regard to fiscal years, by the State Board of Control to the district for that purpose.

Ch. 357 (AB 1835) W. Thomas. County Employees Retirement Law: generally

Existing County Employees Retirement Law of 1937 authorizes the appointment of 1 member of the county board of supervisors to the retirement board.

This bill would provide that such a member shall not serve on the retirement board beyond his term of office as supervisor.

Ch. 358 (SB 426) Holmdahl. Probation.

Existing law provides for rearrest, or issuance of a warrant therefor, of probationers, and revocation of probation upon such rearrest.

This bill provides for revocation of probation upon the issuance of a warrant for rearrest.

Existing law contains no provision for revocation of probation to toll the probationary period.

This bill would so provide

Ch. 359 (AB 180) Hughes. Health: high blood pressure control.

Existing law does not require the State Department of Health to conduct a program for the control of high blood pressure.

This bill would require the State Department of Health to conduct a program for the control of high blood pressure which includes specified elements. The bill would authorize local community high blood pressure control programs. The bill would authorize the state department to contract with local public and private nonprofit agencies for operating community high blood pressure control programs.

The bill would provide that funds appropriated would be supplemental to those available from the federal government, but would state that it is the intent of the Legislature that the state department utilize federal funds for the purposes of the act.

This bill would require the Auditor General to evaluate the high blood pressure program conducted under this act after 18 months of operation.

Ch. 360 (AB 155) Coggin. Workers' compensation.

(1) Existing law limits, for purposes of workers compensation, the liability for occupational disease and cumulative injury of employees to those employers who employ the employee during a period of 5 years immediately preceding either the date of injury or the last date on which the employee was employed in an occupation exposing him to the hazards of such occupational disease or cumulative injury, whichever first occurs.

This bill would, with regard to all claims for occupational disease or cumulative injury which are filed or asserted on or after January 1, 1978, reduce such period from 5 to 4 years. Commencing January 1, 1979, and thereafter on the first day of January for each of the next 2 years, the period of liability would be decreased by one additional year so that by January 1, 1981, the liability period would be one year.

In the event that no employer during such periods is insured for workers' compensation, liability shall be imposed upon the last year of hazardous employment for which an employer is insured, with the employer held liable as a result of another employer's failure to secure compensation being entitled to reimbursement from the employers who were unlawfully uninsured during the last year of the employee's employment with certain subrogated rights.

(2) Existing law provides that if the employment exposing the employee to the hazards of a claimed occupational disease or cumulative injury was for more than 5 years with the same employer, or its predecessors in interest, the limitation of liability to the last 5 years of employment is inapplicable. In such cases, liability extends to all insurers who insure the workers' compensation liability of such an employer, during the entire period of the employee's exposure with such employer, with the contributions of such insurers being in proportion to employment during their respective periods of coverage.

This bill would repeal such provision, and would, instead, provide that, with regard to any self-insured employer which owns and operates a work location, as defined, in this state, and which sells to another self-insured employer the ownership and operation of such work location after January 1, 1974, but before January 1, 1978, and specified requirements are met, the liability of the seller and the buyer for cumulative injuries suffered by employees employed at the work location immediately before the sale shall, until January 1, 1986, be governed by the provisions of Section 5300.5 of the Labor Code which were in effect on the date of the sale. This provision would have no force or effect on or after January 1, 1986, or with regard to an employee who, subsequent to the sale but prior to the date his or her application for compensation benefits is filed, is transferred to a different work location by the buyer.

(3) This bill would also specify that the amendments enacted by this act would apply to any claims for benefits which are filed or asserted on or after January 1, 1978, except as otherwise provided

Ch. 361 (AB 205) W. Thomas. Vehicles: penalties for late registration.

Under existing law, a penalty of 50% of the license fee, and 50% of the registration and weight fees is imposed for late applications for original or renewal of vehicle registration

This bill would make such penalty equal to 20% of such fees

The bill would take effect immediately as an urgency statute.

Ch. 362 (AB 891) Duffy. Community colleges: attendance: health sciences education.

Current law specifies various circumstances under which students in attendance in community college classes and programs are deemed to be under the immediate supervision of a certificated employee of the district

This bill would define the term "immediate supervision" in health sciences programs to include situations in which a person licensed in one of the healing arts shares supervisory responsibilities with a certificated employee of the district.

Ch. 363 (AB 1870) Deddeh. School board members: compensation.

Existing law authorizes school district governing boards and city boards of education to compensate board members for their services for each meeting of the board actually attended, not to exceed specified amounts per meeting and per month according to prescribed rates based on the number of units of average daily attendance in the district during specified school years. It further permits the governing board to pay at the prescribed rate a member for any meeting not attended if the board determines that at the time of such meeting the member was performing services outside the meeting for the school district.

This bill would delete provisions specifying maximum amounts per meeting actually attended and would, instead, authorize the payment of compensation to members who actually attend all meetings held in any month at various maximum amounts per month, with provision for a pro rata share of the maximum amount allowed for members not attending all meetings held

Ch. 364 (AB 328) Thurman. State employees: uniform allowance.

(1) Existing law states that state employees shall be responsible for the purchase of uniforms required as a condition of employment and requires the state to provide an allowance not to exceed \$150 per year to state employees for the replacement of uniforms.

This bill would increase the maximum allowance for the replacement of uniforms from \$150 to \$250, but would provide that when such employees are not required to wear uniforms on a full-time basis, the state allowance shall not exceed \$150 per year.

(2) Existing law requires the State Board of Control to determine the average annual replacement cost for each type of uniform based on departmental standards and taking into consideration normal uniform life and provides that the allowance for uniforms shall be the average annual replacement cost or \$150, whichever is less.

This bill would increase the monetary amount from \$150 to \$250 with respect to such provisions.

Ch. 365 (AB 899) Wray. Vending machines.

Existing law requires the owner of a vending machine to have his name and address affixed thereto in a place where it may be seen by anyone using the machine. "Vending machine" is defined as any mechanical device the operation of which depends upon the insertion of a coin or other thing of value in the denomination of 5 cents or more and which dispenses or vends an article of value.

This bill would provide that if a person owns more than one machine located at the same place he may, instead of affixing his name and address to the machines, post a clearly readable sign containing such information.

It would also revise such definition to provide the machine must dispense or vend a product, service, or exchange of equal value, and specifically exclude telephone service

furnished under public utility tariffs and equipment used by financial institutions for the purpose of facilitating financial transactions therefrom.

Ch. 366 (AB 584) Chimbole. Mule racing.

Existing law does not allow wagering on mule races.

This bill would allow the 18th District Agricultural Association to conduct a mule racing meeting as a pilot project for a period not to exceed 5 years. The bill would authorize the California Horse Racing Board, in cooperation with representatives of the Board of Directors of the 18th District Agricultural Association, to adopt rules governing, permitting, and regulating parimutuel wagering on such races. The bill would also vest in the board the authority to administer such racing provisions. The bill would provide for the distribution of moneys wagered at such meeting.

The bill also would provide that the act shall be operative only until January 1, 1983.

Ch. 367 (AB 253) W. Thomas. Contracts creating taxable interests: statements.

Existing law does not require government entities to advise private parties who contract with such entities that certain possessory interests created by such contracts may be subject to property taxation.

This bill would require the state or any local public entity of government, as defined, to include a statement in any written contract with a private party in which a taxable possessory interest may be created that such interest may be subject to property taxation if created, and that the party in whom such interest is vested will be subject to the payment of property taxes levied on such interest.

This bill would also authorize a party to recover damages, as defined, from the contracting state or local public entity, where the private party can show that without such notice, he had no actual knowledge of the existence of a possessory interest tax and would establish a rebuttable presumption that the private party did not have such knowledge.

The bill would provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill for a specified reason.

Ch. 368 (AB 232) Dixon. Public Employees' Retirement System: benefits

Existing law generally prohibits the inclusion of any question relative to an applicant's race, sex, marital status, or religion in any application blank or form submitted to a state entity or employee.

This bill would permit the Board of Administration of the Public Employees' Retirement System to require a member or beneficiary to provide such information as it deems necessary to determine liability of the system for, and an individual's entitlement to, benefits.

Existing Public Employees' Retirement Law provides that different benefit factors shall not be established for male and female members thereby prohibiting the use of the sex of a retired person as a variable in computing the amount of any retirement benefit.

This bill would provide that the prohibition is not applicable to the computation of optional payments.

Existing law prohibits the establishment or maintenance of separate rates of contributions for male and female members in certain public retirement systems.

This bill would make conforming changes in various provisions of the Public Employees' Retirement Law.

Existing law establishes the manner of computing the retirement allowance payable to local safety members of the Public Employees' Retirement System under the 1¼ pay at age 60 benefit formula and to patrol, state safety, and specified local safety members under the ½ pay at age 55 benefit formula.

This bill would prescribe formulas for computing final compensation for those members who retire prior to attaining such ages.

The bill would state that its amendments of the law shall be retroactive to January 1, 1977, and are declaratory of legislative intent as expressed in Chapter 1436 of the Statutes of 1976.

The bill would take effect immediately as an urgency statute

Ch 369 (AB 427) Hart. Commercial fishing

(1) Existing law authorizes until January 1, 1978, the Director of the Department of Fish and Game, if he determines, based on thorough and adequate scientific evidence and at least one public hearing in the area of the fishery, that any species or subspecies of fish is in danger of irreparable injury, to order, by emergency regulation, the closure of any waters or otherwise restrict the taking under a commercial fishing license in state waters of such species. The director may by emergency regulation remove any such restriction under specified circumstances. Any such regulations must be brought to the attention of the Legislature within 7 days.

This bill would delete the January 1, 1978, expiration date for such provisions

(2) Under existing law, statutory provisions establishing certain designated areas as the California halibut trawl grounds and regulating the use of trawl nets in such areas will be repealed as of January 5, 1978, and the Department of Fish and Game is required to submit to the Legislature by July 5, 1977, a written report evaluating such provisions

This bill would delete the section which would repeal such statutory provisions as of January 5, 1978, thereby continuing the existing law in effect on and after such date and would repeal the requirement of a written report, and instead would require the department to submit to the Legislature by December 31, 1980, a written report generally evaluating the halibut fishery and specifically evaluating such provisions

(3) The bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be an appropriation made by this bill for specified reasons

Ch. 370 (AB 479) Dixon. Public Employees' Retirement Law. contribution rates

Existing Public Employees' Retirement Law provides that the normal contribution rate for a local miscellaneous member is 7% of the member's compensation and the contribution rate for state miscellaneous members is 6% of their compensation with a reduction for those included in federal social security.

This bill would provide that specified educational auxiliary organizations which are contracting agencies may contract with the board for a rate of contribution equivalent to that for state miscellaneous members.

Ch. 371 (AB 576) Lehman. Cal-Vet. farm purchase

Presently, the Veterans' Farm and Home Purchase Act of 1974 limits the purchase price of a farm to the Department of Veterans Affairs to \$80,000 and requires a purchaser to make an initial payment of 10% of the selling price of a farm. It generally permits the department to waive the occupancy requirement for up to 4 years for good cause

This bill would raise the amount the department may pay for a farm to \$120,000 and would reduce the purchaser's required initial payment from 10% to 5% of the selling price. It would specifically permit the department to waive the occupancy requirement for any period of time in the case of a farm

Existing law generally requires a 5% initial payment on a home under the Cal-Vet program and permits the department to expend up to \$35,000 for the purchase of a home.

This bill would continue the 5% downpayment requirement only for homes costing more than \$35,000 to the department, would require a 3% downpayment for those costing \$35,000 or less, and would allow the department to expend up to \$43,000 for a home

Ch 372 (AB 808) Wornum. Petroleum franchises

Existing law does not restrict a petroleum distributor from obtaining a judgment against a tenant who is a gasoline distributor for unlawful detainer, in the appropriate circumstances consistent with law

This bill would prevent a petroleum distributor from being restored to possession, in any action for unlawful detainer against a gasoline dealer unless in such action the court determines that there was good cause, as specified, to terminate, cancel, or refuse to renew the franchise of the gasoline dealer

It would permit the court to require the tenant to make rental payments at the contract rate into the court, for the lessor, pending the resolution of the action

Ch 373 (AB 822) Mori Vehicle license fees

Existing law imposes a vehicle license fee on certain vehicles for the privilege of operating upon the public highways. Generally, the amount of such fee is a percentage of the market value of such vehicle. Such market value is determined upon the basis of the suggested base price or the cost price to the purchaser, adjusted by the amount of the cost of modifications to such vehicle in excess of \$200, with certain exceptions.

This bill would exclude from such market value determination the cost of modifications to a vehicle which are necessary to enable a disabled person to use or operate such vehicle.

The revenues derived from the imposition of fees under the Vehicle License Fee Law are continuously appropriated for various purposes, and by eliminating a portion of the base of such revenues, this bill would alter these existing appropriations.

This bill would take effect immediately as a tax levy.

Ch. 374 (AB 465) Ryan. Vehicle records. Furnishing information

Under existing statutory law, records of the Department of Motor Vehicles pertaining to vehicle registration, drivers' license applications, abstracts of convictions, and accident reports are open to public inspection. The department is presently authorized to sell information from, and copies of, its records concerning the registration of any vehicle or information from the files of drivers' licenses at a charge sufficient to pay the actual cost to the department for providing the information, as determined by the director.

This bill would, with respect to the sale of information concerning the registration of any vehicle, require the department to establish, by regulation, procedures under which any person making a request for such information would be required to identify himself and to state the reason for making the request. The procedures would be required to provide for the verification of the name and address of the person seeking the information, and the department would be authorized to require the person to produce such information as it determines is necessary in order to ensure that the name of the person is his true name and address. The procedures would also be required to provide for notification to the person to whom the information primarily relates as to what information was provided and to whom it was provided. The department would also be required to establish, by regulation, a reasonable period of time for which a record of all of the above shall be maintained. With respect to the charge for information, the bill would provide that the cost to the department shall include costs incurred by the department in carrying out the provisions of the bill. Proceeds from such sales could ultimately be deposited in the State Highway Account in the State Transportation Fund, which is continuously appropriated; and, therefore, this bill would make an appropriation.

The provisions of the bill would not apply to any governmental entity, any person engaged in the business of examining records of the department and supplying information relative thereto to the public for compensation who has a valid permit issued by the department, any person who has been issued a requester code by the department, any court of competent jurisdiction, any attorney admitted to practice in this state who alleges that information contained therein is relevant to any pending or potential litigation, or to any accredited member of the press.

Ch. 375 (AB 518) McVittie. Food and agriculture: Dairy Council of California.

Under the Dairy Council Law, the California Dairy Council is established with a membership of 25 members, 11 of which are producers or representatives of producers actually engaged in the production of milk, 11 of which are handlers of dairy products, and 3 of which are producer-handlers that produce a major portion of the milk used in the dairy products handled by such producer-handlers.

The producer members that produce manufactured milk and the producers who produce market milk, and the handler members that handle such kinds of milk, are required to represent on a proportional basis, the amount of market milk and the amount of manufactured milk produced in the state.

This bill would instead provide that the membership of the council is to be at least 24, but no more than 25, members. Of such membership, 12 are to be producer members and 12 are to be handler members, without any regard to the amount of manufactured milk and market milk produced in the state. Further, the bill would provide that the

12 handler members are to be made up of handlers and producer-handlers. Upon recommendation of the council, the Director of Food and Agriculture would be authorized to appoint to the council a representative of the public generally who is neither a producer, handler, or producer-handler.

Under the present Dairy Council Law, the council is required to hold a series of joint meetings for producers, producer-handlers, and handlers to inform such persons of the activities of the council. This bill would repeal such provisions requiring meetings.

The Dairy Council is required to prepare, annually, and make available to all producers, producer-handlers, and handlers of dairy products that request them, summarized statements of the activities in which it has been engaged in the previous annual period and proposed to be engaged in the ensuing annual period.

This bill would delete such a requirement and, instead, require the council to, annually, report to the members of the dairy industry on the activities and program, including the income and expenses, the fund balance, and a report of progress in achieving program goals, as prescribed by the director.

Ch 376 (AB 198) Stirling Adoption.

Existing law details the manner in which a person may be adopted.

This bill would provide that, in the case of a minor in the custody of a public agency or licensed adoption agency, when it has been established that the persons whose consent to the adoption of such minor is required by law are deceased, the State Department of Health or a licensed adoption agency may bring an action requesting the court to make an order establishing that the requesting agency has the right to custody and control of the minor and the authority to place the minor for adoption. Except as otherwise provided, it would require the agency bringing the action to provide notice thereof in such form as shall be prescribed by the court to all known relatives of the minor up to and including the third degree of lineal and collateral consanguinity, as defined.

Ch. 377 (AB 371) Duffy. Medi-Cal. provider reimbursement.

Under existing law, a provider of health care services under the California Medical Assistance Program (Medi-Cal) obtains Medi-Cal card labels from the Medi-Cal beneficiary and submits them to the state with the claim for reimbursement for services rendered.

This bill would provide that reimbursement to any hospital, which has contracted with a county to provide care to indigent persons, for care rendered to an eligible Medi-Cal beneficiary is not to be denied for the sole reason that such labels or other appropriate documentation are not submitted, provided reasonable efforts were made to obtain such documentation. In such case, the Director of Health would be required to direct county welfare departments to issue replacement documentation under specified conditions, and to require such replacement documentation to accompany the hospital's bill.

This bill would take effect immediately as an urgency statute.

Ch. 378 (AB 653) Chappie. School certificated employees.

Existing law authorizes the governing board of any school district to employ, subject to specified conditions, persons possessing appropriate credentials as instructors in classes conducted under contract with public or private agencies, or other categorically funded projects of indeterminate duration.

This bill would also authorize the employment, on the same basis, of credentialed persons to replace any employees in the regular educational program who are assigned to a special categorically funded project.

Ch. 379 (AB 1035) Keene. Public administrators.

Existing law requires that the public administrator, a county officer, be elected by the people.

This bill would permit the board of supervisors of Mendocino County to adopt an ordinance providing, instead, for the appointment of the public administrator by the board.

Ch. 380 (AB 78) Hughes. Unit pricing.

No provision of existing law requires retail food sellers to display the unit price of items offered for sale.

This bill would recite that it is the intent of the Legislature to encourage unit pricing, as specified, for all canned, bottled, and packaged commodities.

This bill would require the Department of Consumer Affairs, in cooperation with the retail food industry, to adopt a standardized format for unit pricing.

This bill would also appropriate \$5,000 from the General Fund to the Department of Consumer Affairs for the purpose of the bill.

This bill also provides that neither appropriation is made nor obligation created for the reimbursement of any local agency for costs incurred by it pursuant to the bill.

Ch. 381 (AB 21) Greene. Schools: lease, purchase; earthquake safety.

(1) Under existing law, there is the Leroy F. Greene State School Building Lease-Purchase Law of 1976 which authorizes the state to issue general obligation bonds and use the proceeds thereof to reconstruct, remodel, or replace existing school buildings and to acquire new school sites and buildings.

The 1976 lease-purchase law directs the State Allocation Board to fix the rents, charges, and fees payable by school districts for facilities financed by the state, and requires that such rents, charges, and fees be fixed at a rate to yield annual revenues equal to the cost of interest on, and retirement of, bonds issued under the lease-purchase law.

This bill would make numerous technical changes in the 1976 law, including the addition of a definition of the word "apportionment," and a change in the definition of the term "cost of project."

This bill would prohibit funds authorized by any bond act for the 1976 law from being expended without specific authorization of the State Allocation Board or its representative.

This bill would prescribe a method of computing the annual taxing capability of a district, based on a specified tax rate, and the total annual obligations of the district under various specified state school building aid programs, including the 1976 lease-purchase law, and would require the State Allocation Board to defer payments due from the district under the 1976 lease-purchase law if the district's total annual obligations exceed its annual taxing capability. Such computations and deferments would be made on a year-to-year basis, and if a district was entitled to deferment for more than 30 years the amount then remaining due would be canceled.

The bill would repeal provisions of the State School Building Aid Law of 1952 prescribing means of computing the amount of a district's annual repayment, and deferment, in cases in which the district is subject to lease payments under the lease-purchase law of 1976.

This bill would exclude buildings which are not subject to the Field Act from a required computation of the area of adequate school construction.

(2) Under existing law, school buildings constructed prior to 1933, generally are required to be inspected and, if found not to conform to the structural standards of the so-called Field Act, to be repaired, reconstructed or replaced by June 30, 1975. The law prescribes specific procedures for the inspection of such buildings and for the conduct of local elections to authorize increased tax rates or the issuance of bonds to finance the necessary repair, reconstruction or replacement of unsafe school buildings, or to authorize the building's abandonment. Certain structures which pupils are not required to enter, and buildings utilized for adult or registered apprentice courses are excluded from these requirements.

This bill would also exclude the following structures from the provisions of the Field Act: swimming pools, yard or lighting poles or flagpoles or playground equipment not exceeding 35 feet in height, and bleachers and grandstands of less than 6 rows of seats

Ch. 382 (AB 660) Fenton. Workers' compensation: disability payments.

Existing law requires that specified city and county policemen and firemen, when disabled by injury or illness arising out of and in the course of their duties, be entitled to leave of absence while so disabled without loss of salary, in lieu of temporary disability payments under the workers' compensation law. The Workmen's Compensation Appeals Board is required, upon request in any disputed case, to determine, among other

things, when such disability exists.

This bill would instead require the appeals board in such cases to determine when such disability commenced and ceased, and the amount of benefits to which the employee is entitled during the period of such disability.

Ch. 383 (SB 257) Marks. Sealers.

Existing law vests in the Director of Food and Agriculture, and each sealer acting under the direction of the director, the power and duty to enforce various provisions of law, including the provisions relating to standard bread loaves, petroleum, antifreeze, brake fluids, and automatic transmission fluids.

This bill would specify that any sealer enforcing any of the above provisions of law shall have those powers granted pursuant to the provisions relating to weights and measures.

Existing law makes it unlawful for a person to distribute commodities not labeled in conformity with the provisions of the Fair Packaging and Labeling Act or regulations adopted under the authority of such act. The law exempts from such prohibition persons engaged in business as wholesale or retail distributors of commodities, except to the extent that such persons are engaged in the packaging or labeling of such commodities or prescribe or specify by any means the manner in which such commodities are packaged or labeled.

This bill would include that such commodities must be labeled in accordance with the provisions of, and the regulations adopted pursuant to the provisions, relating to standard bread loaves, petroleum, antifreeze, brake fluids, and automatic transmission fluids. The bill would exclude from the exception from such prohibition any wholesale or retail distributor to the extent such wholesaler or distributor has knowledge of any violation of the Fair Packaging and Labeling Act or of any of the above provisions.

The bill would also provide that there is no reimbursement nor appropriation made by the act for costs incurred by local agencies.

Ch. 384 (SB 231) Johnson. Fish and game: license, tags, permits: fake.

Existing law makes it a misdemeanor for a person to (1) alter, mutilate, or deface any license or license tag or entries thereon to evade the provisions of the Fish and Game Code; (2) transfer any license or license tag; (3) use or possess while hunting or fishing any license or license tag not lawfully issued; or (4) predate or postdate any license or license tag.

The bill would additionally provide as a misdemeanor any of the above acts perpetrated in relation to a license stamp or permit.

Further, the bill would make it a misdemeanor to use or possess a fake or counterfeit license, license tag, license stamp, permit, permit application form, band or seal made or used for the purpose of evading any provision of the code, or any regulations adopted thereto.

This bill also provides that, for a specified reason, neither appropriation is made nor obligation created for the reimbursement of any local agency or school district for any costs incurred by it pursuant to the act.

Ch. 385 (AB 835) McVittie. Food and agriculture: cattle brand inspection.

Under existing law, there are provisions for cattle brand inspection. Certain of such provisions are effective until January 1, 1978, and include:

- (1) Revision of the membership of the Livestock Identification Advisory Board
- (2) Revision of the inspection requirements and procedures for cattle.
- (3) Provision for the registration of feedlots

(4) Authorization for the Director of Food and Agriculture to provide, by regulation, that any person who ships any cattle from a modified point-of-origin inspection area, for inspection at destination, is required to notify the local brand inspector prior to shipment of such cattle, if the director makes designated findings

(5) Provision that cattle shipped directly from a registered feedlot in this state for immediate slaughter outside this state shall be brand inspected, and a brand certificate shall be issued, but a brand inspection fee shall not be charged or collected, if the prescribed conditions are met, and provide that the designated fees under the California Beef Council Law on such cattle shall be due and payable prior to their shipment from this state

Further, there are provisions of law, operative January 1, 1978, which would modify the existing and operative cattle brand inspections.

The bill would (1) extend indefinitely the duration of those provisions effective only until January 1, 1978 and (2) delete those provisions which, operative January 1, 1978, would make such modifications

This bill would provide there would be no appropriation for [or] * reimbursement of costs incurred by local agencies pursuant to the bill for a specified reason

Under existing law, until January 1, 1978, fees payable for certain inspections are paid into the Department of Agriculture Fund, a continuously appropriated special fund. Since this bill would delete the January 1, 1978, expiration date of such programs, the bill would constitute an appropriation of such fees after January 1, 1978

Ch 386 (AB 1530) Mangers. School and community college districts: contracts for specialized legal services—conditions.

Existing statutes condition the authority of a governing board of a school district or community college district to contract with a qualified private attorney to provide specialized legal service, upon (1) obtaining the written concurrence of the district attorney or county counsel having jurisdiction and (2) obtaining the written views of such district attorney or county counsel as to the need for such services and on the form of the proposed contract

This bill would expand the services which may be so contracted for, from specialized legal services, to all legal services, would eliminate the first condition and would specify that such written views in the second condition shall not be binding upon the governing board but shall be advisory only.

Ch. 387 (AB 1056) Craven Municipal water districts.

(1) Existing law authorizes municipal water districts to adopt regulations and ordinances for specified purposes, the violation of which are misdemeanors.

This bill would provide that violations of specified regulations relating to use of district recreational facilities are misdemeanors, and that violations of all other regulations relating to use of district recreational facilities are infractions. The bill would also provide the penalties for such infractions.

(2) Existing law authorizes a municipal water district to establish, among other things, a fire department, and to establish and enforce rules and regulations for the administration, operation, and maintenance thereof.

This bill would authorize a municipal water district to also establish a first aid and ambulance or mobile intensive care paramedic service, and to establish and enforce rules and regulations for the administration, operation, and maintenance thereof.

Ch. 388 (AB 1588) Mori. Private car tax.

Existing law provides that, for calendar years 1975 through 1979, inclusive, in making computations determining the full cash value of property subject to the private car tax the State Board of Equalization shall exclude car mileage, car days, and such other data which occur while cars are not qualified for revenue service and are in a repair facility in California requiring and undergoing or awaiting certain remodeling, overhaul, restoration, conversion or repair.

This bill would eliminate those provisions which would repeal such exclusion on January 1, 1980, and would limit the number of car days excluded from such computations to 90 car days per car unless the claimant provides substantiation of the necessity for additional days.

Ch. 389 (SB 410) D. Carpenter. Workers' compensation and public liability claims: counties.

Existing law authorizes a county or a public agency for which the board of supervisors acts as a governing board, which is wholly or partially self-insured under the workers' compensation laws, or wholly or partially self-insured against public liability, to contract under specified terms and conditions for investigative, administrative, and claims adjustment services relating to workers' compensation and public liability claims.

This bill would also permit counties which are wholly or partially self-insured for employee health and welfare benefits to contract for such services.

Ch. 390 (SB 522) Dunlap. Mountain lions: taking thereof.

Under existing law, until January 1, 1978, mountain lions are not game mammals and it is generally unlawful to take any mountain lion, except that a depredating mountain lion may be taken under a permit issued by the Department of Fish and Game.

This bill would extend these provisions until January 1, 1983.

Ch. 391 (AB 937) Young. Foster care: consent.

Under existing law, parents are entitled to the custody and control of their children unless deprived thereof by court order.

This bill would authorize persons licensed to provide residential foster care by the State Department of Health to children placed with them either pursuant to order of the juvenile court or voluntarily by the person or persons having legal custody of the child, to give the same legal consents for such child as a parent, except as provided.

It would require the State Department of Health to prescribe rules and regulations to carry out the intent of the bill.

Finally, it would provide that the provisions of the bill would not be applicable to any situation in which a juvenile court order expressly reserves the right to consent to such activities to the court.

This bill would take effect immediately as an urgency statute.

Ch. 392 (AB 960) McVittie. Real estate licensees.

Existing law provides for the licensing of real estate salesmen.

This bill would provide that whenever the word "salesman" is used it means salesperson.

Ch. 393 (AB 941) Thurman. Compensation of board members.

(1) Existing law provides for the compensation of members of the Reclamation Board of \$25 for each day attending the meetings of the board, not to exceed \$2,000 per year.

This bill would, instead, provide that each member of the board that is neither eligible for nor receives any salary or other compensation for time spent attending meetings of the board shall receive \$50 for each day attending meetings of the board, not to exceed \$2,000 per year.

(2) Existing law requires that members of the Colorado River Board serve without compensation.

This bill would provide that each member of the board that is neither eligible for nor receives any salary or other compensation for time spent attending meetings of the board shall receive \$50 for each day attending the meetings of the board.

Ch. 394 (AB 321) Bannai. Public Employees' Retirement System.

Existing Public Employees' Retirement Law provides, in certain circumstances, that the beneficiaries of a member who has more than 5 years, but less than 6 years, credited service, and who dies before retirement, receive a higher amount as an insurance benefit if the member dies before becoming eligible to retire than they would receive as a basic death benefit if the member died after becoming eligible to retire.

This bill would provide that the beneficiaries of a member who has more than 5 years, but less than 6 years, credited service, would receive the higher amount as a part of the basic death benefit or insurance benefit, whether the member dies before, or after, becoming eligible to retire.

Existing law provides that where the special death benefit is stopped because of the remarriage of the surviving spouse or the attainment of the age of 18 years by a child, before the sum of the amount paid equals the basic death benefit, a lump sum equal to the difference shall be paid to the remarried surviving spouse, or if none, to the children. However, no provision is made for payment of such amount to the estate of the person last entitled to the allowance where there is no surviving spouse or children.

This bill would require payment of such amount to the estate of the person last entitled to the allowance in such a situation.

Existing law requires, except where 1959 survivors benefits are payable, that upon remarriage, the surviving wife or surviving husband of a member on account of whom an allowance is payable must be declared the guardian of surviving unmarried children under 18 years of age in order to be paid the benefits prescribed for such children by

the Public Employees' Retirement Law.

This bill would delete such requirement.

Existing law provides that if benefits are payable because of the act of a person other than the member's employer, the board may recover as a right of subrogation specified monetary amounts. The law excludes certain survivors benefits from such right of subrogation.

This bill would instead provide that such right of subrogation is applicable only to disability retirement allowances and special death benefits.

The bill also provides that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to the act

Ch 395 (AB 108) Chacon. Relocation assistance.

Existing law provides that to receive relocation assistance an owner, in addition to other things, must have owned and occupied the dwelling for 180-days.

This bill would provide that this 180-day period may be reduced, as necessary, if in the judgment of the public entity circumstances warrant it.

Existing law provides that relocation assistance may not be paid to a person who has not occupied the dwelling from which such person is being dispossessed for a period of 90-days prior to the public entity's acquisition of such property.

This bill would provide that the 90-day period may be reduced as necessary if in the judgment of the public entity circumstances warrant it

Ch. 396 (AB 701) Perino. Fairs: allocation.

Generally the fees, commissions, and other money received from horseracing under the Horse Racing Law are required to be deposited in the Fair and Exposition Fund. Forty percent of the first balance of the fund, up to a designated maximum amount, is annually appropriated to be used for the encouragement of designated fairs to be allocated, by the Department of Food and Agriculture, to such fairs on the basis of need of each such fair. The existing law requires the department to take into consideration all relevant factors, including various enumerated factors, in determining such need as to each fair.

This bill would modify such enumerated factors that the department is required to take into consideration in determining such need as to each fair and make technical changes in such provisions.

Ch. 397 (AB 687) M. Waters. Unemployment Trust Fund

Existing law provides specified limitations on the appropriation and use of money credited to the Unemployment Trust Fund by the federal government pursuant to specified federal law.

This bill would revise these specified limitations on such money to conform to federal requirements, and would specifically make such provisions applicable with regard to Items 408 and 408 4 of the Budget Act of 1977.

This bill would take effect immediately as an urgency statute.

Ch. 398 (AB 88) Chacon. Postsecondary education: resident classification.

(1) Under existing law, until June 30, 1980, adult refugee aliens, and minor refugee aliens whose parents are also refugees, are entitled to resident status for purposes of the payment of nonresident tuition fees in public institutions of higher education if they have been granted parolee status or indefinite voluntary departure status and have lived in the state one year

This bill would include adult and minor refugees who have been granted conditional entrant status and, in the case of minor refugees, would remove the requirement that their parents must also be refugees in order to obtain resident classification.

This bill would also provide that a refugee alien student who is granted residency classification shall not lose such status until he or she has resided in the state the minimum time necessary to otherwise qualify as a resident if the student obtains permanent residence under the immigration laws.

This bill would provide that the changes in resident classifications made by the bill shall take effect for the commencement of the 1977-78 fall terms, semesters, and quarters, regardless of the effective date of the bill.

(2) Existing law provides for the Cal Grant program and that recipients of grants shall be residents of California.

This bill would include as recipients those persons, as discussed above, entitled to resident classification.

This bill would also specify that, for specified reasons, it does not make an appropriation or create an obligation to reimburse a local entity under Sections 2229 and 2230 of the Revenue and Taxation Code.

It would also take effect immediately as an urgency statute.

Ch. 399 (AB 105) Hughes. College and university employees.

Existing law prohibits discrimination in employment on the basis of race or sex.

This bill would require the California Postsecondary Education Commission to report to the Legislature and the Governor on March 1, 1980, and every two years thereafter until and including 1984, concerning the employment, classification, and compensation of ethnic minorities and women by the University of California, the California State University and Colleges, and the public community colleges, and the result of affirmative action efforts by those institutions.

This bill would require the commission to maintain a registry of minorities and women available for employment in academic and administrative positions in postsecondary education.

Ch. 400 (AB 183) Fazio. Farm products: license application: time of payment.

(1) The existing provisions of law require each application for a license as a processor or dealer of farm products to include, among other things, a balance sheet or statement of financial position representing applicant's financial condition.

This bill would specifically exclude any application for the renewal of any such license from such a requirement.

(2) Under the existing provisions of law, generally, every dealer, except in the case of purchase of livestock for slaughter, and every processor is required to pay for any farm product which is delivered to such dealer or processor at the time and in the manner which is specified in the contract with the producer or, if no time is set by such contract, or at the time of the delivery, he is required to pay for the farm product within 30 days from the delivery or taking possession of such farm product.

This bill would, upon certain designated conditions, require the processor or a licensee operating as a dealer, in connection with the purchase or handling of any farm product, to notify the seller, on a designated form, as to the above requirements and the provisions, under the bill, imposing late charges for delinquent payments. It would require such a notice only as to the first contract between any particular seller and processor or dealer during any one calendar year.

The bill would, with prescribed exception, require that a delinquent payment include a late charge, which shall be payable to the person from whom the farm product was purchased, of 5 percent per month of the unpaid balance calculated on a daily basis for the period of the delinquency for the first month and an additional 1 percent per month of the unpaid balance calculated on a daily basis for the remaining period of the delinquency.

(3) The bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be an appropriation made by this bill for a specified reason.

Ch. 401 (AB 401) Chacon. Housing.

Existing law authorizes cities to enact an ordinance providing for the sale of residential property acquired by a city, at less than market value under specified conditions, and makes legislative findings with regard to such sales.

This bill would expand the law to cover, as well, counties and chartered cities and would include as purchasers of such property, persons and families of low or moderate income. The bill would provide that low- and moderate-income persons and families shall be the persons eligible to purchase such property and that to the greatest extent possible low and very low income households shall be assisted.

Ch. 402 (AB 418) Fazio. Fluid milk and cream: minimum prices: unfair practices; definitions.

(1) The existing law provides for the Director of Food and Agriculture to establish minimum wholesale and minimum retail prices for fluid milk and fluid cream under the provisions of a stabilization and marketing plan.

This bill would repeal such provisions, and would authorize the director to declare in effect, for designated temporary periods, minimum wholesale or minimum retail prices, or both, for market milk, when he finds and determines that certain prescribed marketing conditions exist for such milk.

(2) The present definition of "distributor," for purposes of regulating the sale of milk and cream, specifically includes and excludes certain classes of persons

The bill would repeal and revise various provisions which exclude from such definition of "distributor" various described persons.

(3) Existing law provides the grounds upon which the director may refuse to grant a distributor's license, including, among other grounds, violation of any order of the director which establishes minimum wholesale and minimum retail prices for fluid milk or fluid cream which is formulated pursuant to prescribed provisions relating to the stabilization and marketing of fluid milk and fluid cream.

This bill would eliminate this as a ground for the director to refuse to grant a distributor's license and would add to such grounds any violation of prescribed provisions relating to unfair practices in marketing of market milk, cream, or dairy products.

(4) Existing law defines distributor for purposes of provisions relating to unfair practice in the marketing of market milk, cream, or dairy products to, generally, mean any person that purchases or handles market milk, market cream, or any dairy product for resale, and to specifically include and exclude certain classes of persons.

This bill would revise the definition of distributor to, generally, mean any person that purchases or handles market milk, market cream, or any dairy product for processing, manufacture, or sale; add to the classes specifically included in that definition certain persons who operate mobile vehicles on prescribed routes; revise the classes of persons presently specifically excluded from such definition; and add to the classes of persons specifically excluded from such definition certain persons that own or control or that are owned or controlled by, one or more retail stores, by one or more establishments, where milk, cream, or any dairy product is sold for consumption on the premises.

(5) The bill would also provide that if this bill and AB 1110 are both enacted by the Legislature during the 1977 portion of the 1977-78 Regular Session, and become effective on or before January 1, 1978, the provisions by AB 1110 shall prevail over the provisions of this bill, whether AB 1110 is enacted prior or subsequent to this bill.

Ch. 403 (AB 453) Antonovich. Campaign disclosure: exemptions.

Existing provisions of the Political Reform Act of 1974 require the disclosure of specified information relating to campaigns. The Fair Political Practices Commission has, by regulation, adopted a procedure whereby any candidate or campaign committee required by the act to file a statement of organization or a campaign statement may apply to the commission for an exemption from some or all of the reporting obligations imposed by specified provisions of the law.

This bill would expressly prohibit the Fair Political Practices Commission from exempting any person including a candidate or committee, from such campaign disclosure requirements.

This bill would declare that the act is in furtherance of the purposes of the Political Reform Act of 1974.

Ch. 404 (AB 178) Robinson. Insurance premiums.

(1) Existing law provides that, unless the insurance contract provides otherwise, the insured is entitled to the return of the whole premium upon cancellation, rejection, surrender, or rescission of a policy if the insurer has not been exposed to any of the perils insured against and is entitled to partial return of the premium, as specified, where the policy is for a definite period of time and the insured surrenders the policy.

This bill would exempt policies of ocean marine insurance from these provisions.

(2) Existing law provides that, except for life, title insurance, and disability insurance, when a conditional receipt, binder, policy, or other evidence of temporary or implied

insurance is issued, it shall remain in force for a period of 30 days from the date of issuance unless it is sooner canceled, rejected, or surrendered by the insurer, in which case such coverage terminates after 10 days' written notice to the insured.

This bill would exempt ocean marine insurance from these provisions.

(3) Existing law provides that whenever an insurer rejects or declines coverage, surrenders or cancels certain automobile insurance policies or certain property insurance policies, or cancels certain financed insurance policies, the unearned premium shall be tendered to the person entitled thereto within 30 days after coverage ceases.

This bill would restrict the above provisions relating to unearned premiums of financed insurance policies to certain automobile insurance policies and certain property insurance policies and would provide for a tender of unearned premiums within 120 days for all other financed insurance policies where such policies are canceled.

Ch. 405 (AB 499) Greene. Infant medical dispatch centers.

Under existing law, 2 infant medical dispatch centers were provided state funds for initial development for a 2-year period beginning July 1, 1975, and the State Department of Health is required to submit an evaluation of the 2 centers to the Legislature on or before January 1, 1978.

This bill would appropriate \$75,000 to the state department for the infant centers and would state that such appropriation shall be in addition to any appropriation made for that purpose in the Budget Act of 1977.

This bill would repeal the existing law relating to such infant medical dispatch centers as of July 1, 1978.

This bill would, until July 1, 1978, delete all references to the 2-year initial development period for infant medical dispatch centers. The bill would, until July 1, 1978, require the Legislative Analyst, instead of the state department, to submit an evaluation of the infant centers to the Legislature annually.

The bill would take effect immediately as an urgency statute.

Ch. 403 (AB 510) Ingalls. Schoolbuses: equipment, use, and safe operation.

Existing provisions of law authorize the State Board of Education to adopt regulations relating to the construction, design, operation, equipment, and color of schoolbuses.

This bill would, instead, require the Department of the California Highway Patrol to adopt regulations relating to the safe operation, equipment, construction, design, and color of schoolbuses and would require the state board to adopt regulations relating to the use of schoolbuses. The bill would also make various corrections and conforming changes with respect to public and private schoolbuses.

This bill would require the Commissioner of the Department of the California Highway Patrol to appoint a 9-member advisory committee to assist the department in formulating its regulations that affect schoolbuses and schoolbus operations.

This bill would appropriate \$32,000 to the Department of the California Highway Patrol for the purposes of this bill.

This bill would take effect immediately as an urgency statute.

Ch. 407 (AB 601) Duffy. Healing arts.

Existing law authorizes the Division of Medical Quality of the Board of Medical Quality Assurance and the State Board of Pharmacy to grant or deny, without a hearing or argument, any petition for reinstatement of a certificate filed by a person whose certificate has been revoked or suspended for more than one year, where the petitioner has been afforded a hearing upon any such filed petition within a period of 2 years immediately preceding the filing of such petition.

This bill would provide that such authority to grant or deny such petition without a hearing or argument may be exercised where the petitioner has had a hearing within 1 year rather than 2 years. The bill would delete reference to the granting of such petition without a hearing or argument.

Ch. 403 (AB 689) Torres. Barbers.

Existing law provides that a person applying for a certificate as an instructor in a barber college must meet specified requirements including, among other things, having 2 years experience in this state as a registered barber or 2 years experience as a regis-

tered barber in another state having equivalent requirements to those in this state or showing proof, as specified, of 4 years experience as a barber in a state or country where the licensing requirements are not equivalent to those in this state.

This bill would allow such a person to complete a 400-hour instructor training program within a 6-month period in a barber college in lieu of having such experience requirements. The bill would authorize a barber college to establish a 400-hour instructor training program for registered barbers with the approval of the State Board of Barber Examiners and in compliance with regulations of the board.

The bill would also make additional changes in Sec. 6550.5 of the Business and Professions Code proposed by SB 548 to be operative only if SB 548 and this bill are both chaptered, and this bill is chaptered after SB 548.

Ch. 409 (AB 730) Crappie. Fish and Game: falconry licenses.

Under existing law, the Fish and Game Commission is authorized to adopt regulations governing the possession or training of specifically "hawks or owls" used in the practice of falconry, and the commission may authorize the issuance of a revocable license for a person to practice falconry. Further, the act of such possession or training without a license is a misdemeanor, as specified.

The fee for a falconry license is \$15 for each calendar year, or any part thereof.

The bill would delete the reference to "hawks or owls" and instead refer to "any birds in the orders Falconiformes and Strigiformes (birds-of-prey)."

The bill would also increase the fee for a falconry license to \$25 and specify the licensure period to be for 1 year, or any part thereof, beginning July 1. The bill would permit issuance of a duplicate license, upon the filing of an affidavit showing loss or destruction, for a fee of \$5.

Under existing law, unless otherwise specified, license fees (such as the falconry license fee) paid pursuant to the Fish and Game Code are collected and deposited in the Fish and Game Preservation Fund, which is continuously appropriated.

The increase in the amount of the falconry license fee results in an increase in the amount of the license fee collected and deposited in that continuously appropriated fund.

Ch. 410 (AB 784) Rosenthal. Healing arts.

Existing law does not specifically provide for an inactive license for licensees of the various healing arts boards of the Business and Professions Code. Generally, the law provides that such licenses are renewable at 2-year intervals and may be renewed, without examination, within 3 years upon the payment of a renewal fee and a delinquency fee. The law authorizes or requires specified healing arts boards to require continuing education as a condition of renewal of licenses.

This bill would authorize healing arts boards to issue an inactive license to current holders of an active license issued by such boards. The bill would prohibit the holder of such an inactive license from practicing his or her particular profession and would provide that such person need not comply with any continuing education requirements for the renewal of such inactive license, but would require such person to meet, among other things, specified education requirements in order to restore such inactive license to an active license.

The bill also would provide that the act is an urgency measure to go into immediate effect.

Ch. 411 (AB 1142) Egeland. Practice of medicine.

Under existing law, it is unprofessional conduct for a physician and surgeon to advertise any medicine or means whereby the monthly periods of women can be regulated or reestablished, if suppressed.

This bill would repeal such provision

Ch. 412 (AB 716) Young. Subdivision maps: exceptions.

Existing law under the Subdivision Map Act requires that a local agency, by ordinance, shall provide a procedure to waive the parcel map which is otherwise required for a subdivision of 4 or less parcels. Existing law, in addition, requires that the waiver ordinance include the requirement that the local legislative body or advisory agency make

findings that the proposed land divisions comply with requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act or local ordinance adopted pursuant thereto.

This bill would remove from any regulation under the Subdivision Map Act, subdivisions of 4 parcels or less for construction of removable commercial buildings having a floor area of less than 100 square feet, if a city or county, by ordinance so provides.

Ch. 413 (AB 1098) Chimbole. Gorman state vehicular recreation area.

Pursuant to existing law, moneys in the Off-Highway Vehicle Fund are continuously appropriated to the Department of Parks and Recreation for, among other purposes, the planning, acquisition, development, construction, maintenance, administration, and conservation of recreational areas and trails for the use of off-highway motor vehicles.

This bill would authorize the planning, acquisition, and development, as a state vehicular recreation area, of property in the Counties of Los Angeles and Ventura located in the vicinity of Gorman and commonly known as Hungry Valley. The bill would authorize the Director of General Services to purchase or lease that property on behalf of the state and also to offer to the person from whom it is being purchased an option to lease back all or part of such property and, after such option expires, to lease all or part of the property to any private party. Any such lease would be subject to the determination of the Director of Parks and Recreation that the property is not then needed for the purposes of the state park system. The property would be transferred to the administrative jurisdiction of the Department of Parks and Recreation, which would be required to plan, develop, construct, maintain, administer, and conserve the area and trails for the use of off-highway motor vehicles. Any rent accruing from a lease after jurisdiction over the property is transferred to the department would be required to be deposited in the Off-Highway Vehicle Fund, rather than the General Fund, as would otherwise be required by existing law [in as much as this bill would provide for the deposit of a new source of revenue into a continuously appropriated fund, this bill would make an appropriation.] *

The bill would take effect immediately as an urgency statute.

Ch. 414 (AB 1175) Stirling Property taxation. welfare exemption

Under present law property owned by an organization meeting certain requirements which is used exclusively for religious, hospital or charitable purposes is exempted from property taxation.

This bill would include within that exemption property owned by such an organization which is leased to an exempt governmental agency to conduct an activity which if conducted by the owner would qualify the property for exemption if certain requirements are met.

The bill also provides that no reimbursement be made by the state to local agencies for property tax revenue losses.

Ch. 415 (AB 1179) Wray. County Employees Retirement Law. administrative costs.

Existing County Employees Retirement Law of 1937 in some counties requires the entire administrative costs of the retirement system to be charged against the earnings of the retirement fund and limits such charge to not more than 0 10% of the total assets of the system, except in Alameda County the charge is 0.18%

This bill would limit the charge against the earnings of the retirement fund for administrative expenses to 0.18% in Orange County.

Ch. 416 (AB 1607) Priolo. Contractors license law. exemptions.

Existing law exempts from the Contractors License Law certain small operations. These are defined as projects costing \$100 or less for labor, materials, and all other items.

This bill would raise such limit to \$200.

Ch. 417 (AB 990) Lanterman. Community care facilities. licensure fees

Under present law, the Director of Health is required to annually prescribe fees for the issuance of licenses for community care facilities and the issuance of special permits for the provision of a special service by a community care facility. The fees are required

to be established in amounts which, to the degree possible, defray the actual cost of license or special permit approval, less reimbursements from federal or other sources. Under present law, a license or special permit for a community care facility is issued for a duration of 12 months, except that a renewal license or special permit may be issued for a period not exceeding 24 months for licensees with no violations.

This bill would establish a fixed statutory fee for issuance of such licenses and permits to community care facilities. The fee would be \$25 for 12-month licenses and special permits and \$50 for licenses or special permits of longer duration.

This bill would appropriate \$545,000 to the State Department of Health, in augmentation of Item 241.2 of the Budget Act of 1977, for administration of the California Community Care Facilities Act during the 1977-78 fiscal year.

This bill would take effect immediately as an urgency statute.

Ch. 418 (AB 1468) Duffy. Podiatry.

Under existing law the Division of Medical Quality of the Board of Medical Quality Assurance has authority to suspend any certificate issued, and is required to take action against any holder of a certificate issued, pursuant to the Medical Practice Act.

This bill would specify that the Division of Allied Health Professions of the board shall refuse a certificate to practice podiatry to any applicant guilty of unprofessional conduct and specifies that grounds for the denial, suspension or revocation of a physicians and surgeon's certificate shall constitute grounds for denial, suspension or revocation of a certificate to practice podiatric medicine.

The bill would state a legislative declaration in enacting this act.

Ch. 419 (AB 894) McVittie. Grain. inspection fee.

Under existing law, the Director of Food and Agriculture may impose an inspection tonnage tax at a rate up to \$0.04 a ton of commercial feed grain sold, except whole grain, whole seeds, and whole hay when unmixed, to a consumer-buyer in this state. The exact rate levied is determined by the director based upon the costs of administering the grain inspection program.

This bill would increase the maximum tax from \$0.04 per ton to \$0.10 per ton; delete the exception to the tax for whole seed commercial feed; and provide that the exact rate would be determined by the director on a finding and recommendation of the Feed Inspection Advisory Board.

Since this bill would increase the maximum inspection tonnage tax, which is deposited in the Department of Agriculture Fund, a continuously appropriated fund, this bill would constitute an appropriation.

Ch. 420 (AB 1608) Goggin. Redevelopment agencies

Under existing law, the legislative body of a community which has declared itself to be the redevelopment agency of the community is vested with the powers, duties, privileges, and immunities of the redevelopment agency.

This bill would provide that the adoption of any order or resolution by the legislative body of a charter city in San Bernardino County while acting as the redevelopment agency would be governed by the charter, and that the mayor would have the same power and authority in the conduct of the affairs of the redevelopment agency that the mayor has with respect to conducting the affairs of the city, except that the mayor would have no veto power over any order or resolution of the agency.

The bill would take effect immediately as an urgency statute.

Ch. 421 (AB 1995) Dennemeyer. Schools: earthquake safety.

(1) Under current law, school districts are required to have certain buildings examined for safety for school use, and is required to repair, reconstruct, or replace unsafe buildings. Such provisions are known as the "Field Act."

This bill would authorize the Fullerton Joint Union High School District to use certain school farm buildings until June 30, 1979, notwithstanding the Field Act.

(2) This bill would take effect immediately as an urgency statute.

Ch. 422 (SB 1236) Cusanovich. Schools: buildings: leases.

Under current law, buildings which do not comply with the so-called Field Act may be leased for general school purposes only if they are "temporary use buildings," which may be leased for only 3 years.

This bill would permit the continued use of certain leased facilities which do not meet Field Act requirements by a school district for continuation education purposes until August 18, 1978, provided that the State Allocation Board finds that the district has demonstrated its ability to provide replacement facilities which will be ready for occupancy by September 1, 1978.

This bill would be limited in application and would be repealed as of August 19, 1978

This bill would take effect immediately as an urgency statute.

Ch. 423 (SB 405) Zenovich Public works: prevailing wage rates.

Existing law requires the Director of Industrial Relations to determine the general prevailing wage rate of per diem wages in localities in this state in accordance with designated standards. It also permits the body awarding any contract for public work, in lieu of specifying the rate of per diem wages for each type of worker in the call for bids, the bid specifications, and the contract, to instead refer to copies thereof on file at its principal office. In such event the awarding body is required to annually publish in a newspaper of general circulation its determination of the prevailing rate of wages, and to post a copy at each job site

This bill would instead permit the awarding body, in such call for bids, bid specifications, and contract, to include a statement that copies of the prevailing rate of per diem wages are on file at its principal office and would require the awarding body to post a copy of the determination of the director of the prevailing rate of wages at each job site. The bill would conform the bill to existing law by deleting the requirement that the awarding body publish its determination of the prevailing rate of wages.

Ch. 424 (AB 997) Papan. Weighmasters.

Under existing law certain persons and entities are excepted from the definition of public weighmasters and public weighmasters at large. Public weighmasters are required to be licensed in order to perform designated acts.

This bill would specify that carriers of household goods, when transporting shipments weighing less than 1,000 pounds, are excepted from such definitions.

It also would take effect immediately as an urgency statute

Ch. 425 (AB 1823) Duffy Physicians and surgeons: licensing.

Under existing law, the Board of Medical Quality Assurance may grant to a person who is not licensed to practice medicine in the State of California, but who has been offered a full-time teaching position at a California medical school, a certificate of registration authorizing such person to practice medicine to the extent such practice is incident to any necessary part of his or her duty in the medical school's major teaching hospitals approved by the board. This bill would revise the authorization for issuance of such a certificate of registration to cover the practice of medicine to the extent that such practice is incident to any necessary part of such a person's duties as approved by the Division of Licensing of the Board of Medical Quality Assurance in connection with the faculty position in the medical school.

Under existing law any physician who receives a certificate of registration and desires an unlimited licensure in the State of California must take and pass such portions of the written licensing examination as required by the Board of Medical Quality Assurance. This bill would delete such requirement and provide instead that a physician who receives and has held a valid certificate of registration for at least 2 years and who desires an unlimited license in the State of California may, upon application to and approval by the Board of Medical Quality Assurance, be granted an unlimited physicians and surgeons certificate, provided an applicant for such unlimited certificate takes and passes an oral and clinical examination.

Existing law sets forth the circumstances under which persons studying medicine but not licensed to practice medicine may treat the sick or afflicted. This bill would revise such provisions

Under existing law physicians who are legally admitted to the United States and who

seek postgraduate study in an approved medical school may be permitted by the Board of Medical Quality Assurance to participate in the professional activities of the department of the approved medical school to which he is appointed. Such permission must be granted for a period not in excess of 5 years, and must be renewed semiannually. This bill would require such permission to be renewed annually.

This bill would take effect immediately as an urgency statute.

Ch. 426 (SB 134) Johnson. Vehicles unlawful lodging.

Existing statutory law declares that any person who lodges in any building, structure, or place, whether public or private, without the permission of the owner or person entitled to the possession or in control thereof, is guilty of disorderly conduct, a misdemeanor.

This bill would provide that any person who lodges in any vehicle under such circumstances also is guilty of that offense.

The bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor any appropriation made by the bill for local governmental costs for a specified reason.

Ch. 427 (AB 1769) Keysor. Community college classified employees.

Under existing law, the student body organization of a community college may maintain bookstores and may maintain such other activities, including fund-raising activities, as are approved by the governing board of the community college district.

Persons other than students and substitute employees who are employed in a bookstore operated by a community college district are members of the classified service of the employing district, and service by a person in a student body-operated bookstore immediately preceding employment in a community college-operated bookstore is counted as service as a classified employee of the community college district. If such former service in a student body-operated bookstore was for a duration of 6 months or more, the employee, upon becoming employed by a community college-operated bookstore, is deemed to be a permanent (tenured) classified employee of the district.

This bill would authorize a community college district to assume responsibility for activities formerly conducted by a student body organization, as otherwise authorized by law, including fund-raising activities, and would confer upon student body employees who formerly performed the activity assumed by the district the same rights as to membership in the district's classified service as are presently conferred upon bookstore employees.

Ch. 428 (AB 707) Chel. Barbers.

Existing law does not specifically provide for the reimbursement of money to a barber student who suffers damages as the result of a barber college ceasing operations.

This bill would require the State Board of Barber Examiners to establish and maintain a Student Security Trust Fund to relieve or mitigate pecuniary losses suffered by any student of barbering as the result of a licensed barber college ceasing its operations for any reason. The bill provides for specified assessments to be made to each barber college for each student enrolled in such college. The assessments are to be imposed to maintain a sum fixed by the board but not to exceed \$50,000 in such fund. The bill would require the fund to be kept separate and would prohibit the fund from being used for other purposes.

Ch. 429 (AB 557) Montoya. Contractors.

Existing law defines the term "contractor" for purposes of the Contractors License Law.

This bill would additionally define a contractor as one who undertakes the cleaning of grounds or structures in connection with previously defined contractor functions.

Ch. 430 (AB 391) Hart. Juvenile court schools.

Existing law authorizes county boards of supervisors to provide for the establishment and maintenance of an elementary and secondary public school in connection with the juvenile hall for the education of children in the juvenile hall. It also authorizes county boards of supervisors to direct the county superintendent of schools to establish and maintain public schools in any juvenile home or camp of such grade or grades as may be necessary.

This bill would, instead, require the county superintendent of schools, with the approval of the county board of education, to provide for the administration and operation of schools or classes in any juvenile hall, juvenile home, day center, juvenile ranch, or juvenile camp. It would provide for the operation of such schools by the county superintendent of schools or authorize the making of contracts with school districts for such establishment and maintenance and would also permit the board of supervisors to continue the operation of such programs under certain circumstances.

It would provide for the conduct of such schools, for acceptance for credit of coursework completed in such schools by public school districts, and for issuance of diplomas based on coursework completed in such schools. It would require the approval of the county board of education of plans for structures used in connection with such schools.

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by this bill for a specified reason.

Ch. 431 (SB 349) Nejedly. State lands: recreational piers.

Existing law exempts a littoral landowner from having to pay any rental for the lease of state lands for a private recreational pier which is constructed for his own use, and defines a littoral landowner, for such purposes, as a natural person using the littoral land solely for a private single-family dwelling house.

This bill would define a recreational pier, for such purposes, to include any fixed facility for the docking or mooring of boats constructed for the use of the littoral landowner.

The bill would also make legislative findings concerning the construction and maintenance of private recreational piers on state waterways, declare legislative intent in such connection, and specify that such findings and intent are declaratory of existing law.

Ch. 432 (SB 350) Beverly Appropriation: Stipulated judgement.

This bill would appropriate \$100,000 to the State Department of Justice to pay the stipulated judgment in favor of plaintiffs against the State of California in *Laura King, et al. v. Cal Stores Lakewood, et al.*

Ch. 433 (SB 274) Behr. Certificated employees.

Existing law generally requires that certificated employees of a school district be laid off in the reverse order of their employment by the district and be reemployed in the order of initial employment, and that if two or more employees were first employed on the same date their order of employment, for layoff purposes, be determined by the drawing of lots.

This bill would delete provisions for the drawing of lots and, instead, would require that the order of layoff and reemployment between employees having the same employment date be determined by the school district governing board solely on the basis of the needs of the district and its students.

Ch. 434 (AB 237) Suitt. Food and agriculture: Iceberg Lettuce Commission.

Existing law does not provide for any particular marketing program for iceberg lettuce.

This bill would create and provide the powers and duties of the California Iceberg Lettuce Commission, a corporate body, managed by a commission appointed from districts by the Director of Food and Agriculture, as prescribed. The commission would be authorized to carry on programs of research, studies and surveys and activities, programs, and contracts for the promotion of the sale of iceberg lettuce funded by prescribed assessments on handlers of iceberg lettuce. It would authorize the director to suspend all or a portion of the activities of the commission upon certain designated conditions. These provisions would initially be operative only if assented to by 65% of the handlers, as defined, marketing at least a majority of the iceberg lettuce marketed in the preceding season by the handlers who voted, or a majority of all handlers marketing at least 65% of the iceberg lettuce marketed in the preceding season.

The bill would also provide there would be no reimbursement of local agencies for costs incurred by them pursuant to the bill for a specified reason.

Ch. 435 (AB 242) Gualco. Zoning: municipal utility districts.

Existing law exempts the location or construction of facilities for the production, generation, storage, or transmission of water or electrical energy by a local agency from the zoning ordinances of a county or city.

This bill would remove from the existing exemption, some facilities for the storage or transmission of electrical energy under certain terms and conditions and would provide that a local agency need not comply with local zoning unless the zoning ordinance makes provision for the location of the types of facilities generally operated by the district or agency. The bill would further provide that under certain circumstances the local agency, by a four-fifths vote, may override the decision of the city or county. In such a case, specified notice provisions would have to be complied with. The bill would also specifically make these provisions prevail over certain laws regarding rights-of-way for utility lines.

The bill would provide that its provisions do not apply to facilities upon which onsite construction has begun at the time this act becomes effective.

Ch. 436 (AB 462) Thurman. Animals: nutria and hamsters.

Under existing law, it is unlawful to import, transport, possess, or release alive in this state any wild nutria (South American beaver) except (1) under a revocable nontransferable permit under the Fish and Game Code or (2) which is possessed in accordance with a permit under the Food and Agricultural Code regulating the possession, sale, and transportation of nutria.

This bill would repeal the above [Food and Agricultural Code] * provisions relating to nutria.

Under existing law, it is also unlawful to import, transport, possess, or release alive any golden hamster without a permit except for laboratory-reared golden hamsters.

This bill would change the exemption from laboratory-reared golden hamsters to domesticated golden hamsters.

Ch. 437 (AB 480) Brown. Frozen dairy products: labeling.

Under the Milk and Milk Products Act of 1947, the Director of Food and Agriculture has the authority to provide for labeling requirements for any frozen dairy products (ice cream, ice milk, sherbet, quiescently frozen confection, and frozen yogurt dessert)

This bill would require the director to adopt initial regulations for ingredient labeling of frozen dairy products to become effective not later than April 1, 1978, and require distributors of frozen dairy products to conform to such requirements not later than January 1, 1979. It would require such regulations to be consistent with the ingredient labeling requirements established under the Federal Food, Drug and Cosmetic Act.

It would allow the regulations to be adopted by the director to provide, as to frozen dairy products packaged in the presence of the consumer purchasing such product at retail, that the ingredient statement may be made available to the consumer in a manner other than the placement of such ingredient statement on the package.

The bill would provide that, for specified reasons, neither appropriation is made nor obligation created for reimbursement of a local agency or school district for any costs incurred by it pursuant to the act.

Ch. 438 (AB 503) N. Waters. Unemployment insurance: revolving funds.

Existing law permits the Director of Employment Development to withdraw, without at the time furnishing vouchers and itemized statements, sums not to exceed in the aggregate \$1,000,000 from the Unemployment Administration Fund, and \$250,000 from the Disability Administration Account within the Disability Fund, to be used as revolving funds for specified purposes.

This bill would increase the amount the director could withdraw for such purposes to \$1,500,000 from the Unemployment Administration Fund, and \$400,000 from the Disability Administration Account within the Disability Fund.

Ch. 439 (AB 631) Duffy. Nurse practitioners.

Existing law makes no provision for the use of the term "nurse practitioner."

This bill would require the California Board of Nursing Education and Nurse Registration to establish categories of nurse practitioners and standards for use of the term. It

would also prohibit persons who are not registered nurses from advertising or holding themselves out as nurse practitioners.

The bill would require the Legislative Analyst to report to the Legislature on or before January 1, 1980, on standards adopted by the board pursuant to the act.

Ch. 440 (AB 743) Knox. Flood control projects.

Existing law provides for specified flood control projects, which specified projects do not include flood protection on Wildcat and San Pablo Creeks.

This bill would adopt and authorize the project for flood protection on Wildcat and San Pablo Creeks in accordance with congressional action at such estimated cost as may be appropriated for cooperation by the Legislature upon recommendation by the Department of Water Resources.

The bill would authorize the department to lend to the local agency the funds necessary to pay the local portion of the costs of lands, easements, and rights-of-way, less any credits for lands acquired prior to authorization.

The bill would authorize the department to pay 50% of the nonfederal capital costs of recreation and fish and wildlife enhancement features of the project.

The bill would require the Contra Costa County Flood Control and Water Conservation District to give assurances to the Secretary of the Army of local cooperation and to execute plans for the project in cooperation with the Department of the Army.

This bill would provide that no appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch 441 (AB 1271) Maddy. Landlord-tenant deposits.

Existing law requires that upon termination, as specified, of the landlord's interest in a dwelling unit, the landlord or his agent notify the tenant by registered mail of the transfer of any portion of the tenant's payment or deposit to secure performance of the lease or rental agreement and of the transferee's name and address.

This bill would delete registered mail as the means of notice and would substitute therefor personal delivery or certified mail.

Ch 442 (AB 1346) Torres. Workers' compensation interpreter's fees.

Existing law requires employers or their insurers to reimburse injured employees, or dependents of deceased employees, for expenses reasonably, actually, and necessarily incurred for X-rays, laboratory fees, medical reports, and medical testimony to prove a contested workers' compensation claim. Such expenses are payable on demand to, and upon order of payment by, the Workmen's Compensation Appeals Board and are subject to certain interest and penalties for late payment.

This bill would add interpreter's fees to such list of reimbursable expenses.

The bill would also provide that there shall be no reimbursement or appropriation made to any local agency for costs incurred by them pursuant to this bill for specified reasons.

Ch. 443 (AB 1859) Fenton. Temporary restraining orders licensees.

Existing law permits a court, upon petition by a board within the Department of Consumer Affairs with approval of the Director of the Department of Consumer Affairs, to issue an injunction or other appropriate order restraining any licensee of any board comprising the Department of Consumer Affairs who has engaged or is about to engage in any specified act in violation of law.

This bill, in addition, upon such petition, would permit a court to issue a temporary restraining order or other appropriate order restraining any licensee licensed under any of the specified provisions relating to numerous professions and vocations who has engaged or is about to engage in any specified act in violation of law from engaging in the business or profession for which the person is licensed, or any part thereof.

Ch 444 (SB 114) Nimmo. Santa Cruz Metropolitan Transit District.

Under existing law, the term of directors of the Santa Cruz Metropolitan Transit District is 4 years from his time of appointment, except with respect to some members of the first district board.

This bill would specify that the term of office is 4 years. However, if the director is a member of the legislative body which made the appointment to the district board, that

director may serve on the district board only as long as the director is a member of the legislative body making the appointment. Further, this bill would provide that the failure, without good cause, to attend 3 consecutive board meetings would make the office vacant.

The bill would make an appointment to fill a vacancy on the district board, or an appointment made after the expiration of the preceding term, to be for the unexpired portion of the term.

Ch. 445 (SB 314) Garcia. Hazards on roadways: warning device.

Existing law requires the use of certain warning devices with respect to certain disabled or parked vehicles and permits the simultaneous flashing of turn signal lamps on a vehicle when disabled on the roadway or within 10 feet of the roadway.

This bill would permit the simultaneous flashing of turn signal lamps while the vehicle is approaching, overtaking, or passing an accident or hazard on the roadway to warn other motorists of the accident or hazard. The extent of civil liability for the use or nonuse of such lamps would be specified. The Department of Motor Vehicles would be required during 1978 to publicize information about the proper use of such lamps as a warning device and to encourage that use.

Ch. 446 (SB 409) Nejedly. Department of Corrections: Adult Authority: appropriation.

The Budget Act of 1976 contains an item of appropriation for the support of the Department of Corrections, including the Adult Authority.

This bill would appropriate \$198,134, in augmentation of such item, to the department for use by the authority in providing annual review hearings for inmates who have received a parole release date.

The bill would take effect immediately as an urgency statute.

Ch. 447 (SB 566) Roberti. Forms Management Center: appropriation.

This bill would appropriate \$250,000 to the Forms Management Center in the Department of General Services, for expenditure during the 1977-78 fiscal year, for the purpose of carrying out its functions and duties.

This bill would take effect immediately, as an urgency statute.

Ch. 448 (SB 730) Behr. Regional park, park and open-space, and open-space districts: property exchanges.

Existing law generally prohibits a regional park, park and open-space, and open-space district from conveying any interest in real property actually dedicated and used for park or open-space, or both, purposes without the consent of the voters of the district.

This bill would permit such a district, with the unanimous vote of the members of its board of directors, notwithstanding that prohibition, to exchange any real property so dedicated and used for those purposes for real property that the board of directors of the district determines to be of equal value and is necessary to be acquired for those purposes. The bill would prohibit a district from exchanging more than 10 acres of such district-owned real property in any calendar year and would require that any real property acquired by the district be adjacent to other district-owned real property.

Ch. 449 (SB 1207) Nimmo. Schools: buildings, leases.

Present law authorizes a school district subject to approval of the electorate to let real property belonging to the district to any person, firm, or corporation if the lessee agrees to construct a school building thereon for use of the district, or to enter into an agreement under which a person, firm, or corporation constructs a building upon a designated site and leases such building and site to the district.

This bill would validate all elections conducted for the lease or lease-purchase of sites, buildings, or facilities by the governing board of any school district, as specified, that have occurred subsequent to June 2, 1975, and prior to April 30, 1977.

This bill would take effect immediately as an urgency statute.

Ch. 450 (SB 750) Holden Intervention

Under existing law, any person who has an interest in a matter in litigation may intervene. If a person is subject to service of process, and if he claims an interest relating to the subject of the action and is so situated that the disposition of the action in his absence may, as a practical matter, impair or impede his ability to protect that interest or may leave any of the persons already parties subject to a substantial risk of incurring double, multiple, or otherwise inconsistent obligations by reason of his claimed interest, the court must order that he be made a party.

This bill would specify that a court must upon timely application permit a person to intervene if any provision of law confers an unconditional right to intervene or if that person claims an interest relating to the action and if the disposition of the action may impair or impede that person's ability to protect that interest, unless that person's interest is represented by existing parties.

Ch. 451 (SB 979) Sieroty Crime laboratory facilities.

Existing law permits public defenders to make use of criminal laboratories of the Department of Justice and a copy of any information furnished a public defender by the Attorney General from such facility must be sent to the district attorney of the county in which that public defender is located.

This bill would permit defense counsel appointed by the court to have access to such facilities on the same basis as public defenders.

Ch. 452 (SB 980) Vuch. The Department of Motor Vehicles occupational licensing.

(1) Under existing law, the Department of Motor Vehicles is required to prescribe and provide forms to be used for applications for an automobile dismantler's license and to require of such applicants certain information such as fingerprints and personal history statements, touching on and concerning the applicant's character, honesty, integrity, and reputation as the department may consider necessary. In addition, each applicant is to require a statement as to the name and residence address of the applicant, any trade name, the name and residence address of each partner if the applicant is a partnership, and the name and residence address of the principal officers and directors and controlling stockholders if the applicant is a corporation. The application is also required to contain a complete description of the established place of business and such other and additional places of business as shall be operated and maintained by the applicant. Existing law requires the department, upon receipt of an application accompanied by the appropriate fee, to make a thorough investigation of the applicant.

This bill would, instead, provide that every applicant who applies for an automobile dismantler's license shall submit an application to the department on the form prescribed by the department. Such applicant would be required to provide the department with information as to the applicant's character, honesty, integrity, and reputation, as the department may consider necessary. The department would be required, by regulation, to prescribe what information is required of such an applicant. The bill would require the department, upon receipt of an application for a license which is accompanied by the appropriate fee, to, within 120 days, make a thorough investigation of the information contained in the application.

This bill would also require that every person holding a license notify the department, within 10 days, of any change in the ownership or corporate structure of the licensee.

(2) Under existing law, the license issued to a vehicle manufacturer, manufacturer branch, distributor, distributor branch, transporter, or dealer is required to be automatically cancelled upon, among other things, the suspension or cancellation of the corporate charter of the licensee by the State of California.

This bill would require the automatic cancellation of an automobile dismantler's license or the suspension or cancellation of the corporate charter of such licensee by the State of California.

(3) Under existing law, the department is required to prescribe and provide forms to be used for application for a manufacturer, manufacturer branch, distributor, distributor branch, transporter, or dealer license and such applicants are required to provide certain information such as fingerprints and personal history statements, touching on and concerning the applicant's character, honesty, integrity, and reputation as the depart-

ment may consider necessary and the applicant's personal business history with specific reference to previous bankruptcies. In addition, such applicants are required to provide a statement as to the name and residence address of the applicant and his trade name, if any, the name and address of each member of a partnership, if the applicant is a partner, and the name of the corporation and the name and address of each of the principal officers and directors if the applicant is a corporation. In addition, the applicant is required to provide a complete description of the established place of business and such other and additional places of business as shall be operated and maintained by the applicant. Existing law also requires that, if the applicant is applying for a dealer's license, he provide the name of the new motor vehicle that the applicant has been enfranchised to sell or exchange and the names and addresses of the manufacturer or distributor who has enfranchised the applicant and, if the application is for a manufacturer's or manufacturer's branch license, the application is required to contain the names and addresses of all distributors and representatives acting for the applicant in this state and the business addresses of such dealers. Existing law also requires all manufacturers or manufacturer's branches to inform the department within 30 days of any change in the list of distributors, representatives, or dealers. If the application is for a distributor's or distributor's branch license, the application is required to contain the name of the manufacturer for whom the distributor will act, the names and business addresses of all representatives acting for the applicant in this state and the names and business addresses of all dealers in this state franchised by such distributor. All distributors are required to inform the department within 30 days of any change in the list of representatives and dealers.

This bill would, instead, require every applicant who applies for a manufacturer, manufacturer branch, distributor, distributor branch, transporter, or dealer license to submit an application to the department on the forms prescribed by the department. Each applicant would be required to provide the department with information as to the applicant's character, honesty, integrity, and reputation, as the department may consider necessary. The department would be required, by regulation, to prescribe what information is required of such an applicant. The bill would also require every person holding such a license to notify the department, within 10 days, of any change in the ownership or corporate structure of the licensee.

Ch. 453 (AB 800) Brown Guardians and conservators objections.

Existing law requires the court investigator appointed to personally interview a proposed ward or conservatee, relative to the establishment of a guardianship for the person and estate or person or estate of an insane or incompetent person, or of a conservatorship for the person and property or person or property of any person for whom a conservatorship may be established, to determine if the proposed ward or conservatee objects to the proposed guardian or conservator, or if he or she prefers another person to act as guardian or conservator but only in the event the proposed ward or conservatee does not wish to contest establishment of the guardianship or conservatorship.

This bill would require the investigator to make such determination irrespective of whether the proposed ward or conservatee wishes to contest the establishment of the guardianship or conservatorship.

Ch. 454 (AB 1535) Sutt. Taxation.

Under existing law, the secured property tax roll contains state-assessed property and other taxable property if the taxes on such property are a lien on real property sufficient, in the opinion of the assessor, to secure payment of the taxes, and the remainder of taxable property is on the unsecured roll. Among other things, taxes on property on the unsecured roll are taxed at the rate of taxes imposed on the secured roll for the prior fiscal year and become due and payable on November 1st, while taxes on real property on the secured roll are taxed at the current rate and become due and payable in 2 installments, on November 1st and February 1st.

This bill would mandate that any possessory interest in real property granted the homeowners' property tax exemption shall be placed on the secured roll and if such taxes are unpaid when the last installment of taxes on the secured roll become delinquent, the tax collector may use procedures applicable to the collection of taxes on

property on the unsecured roll.

This bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement nor appropriation made by this bill for a specified reason.

Ch. 455 (SB 564) Johnson. Milk products: cream: milk fat content.

The existing law, generally, sets forth the minimum milk fat content requirements for various designated creams.

This bill would decrease, as prescribed, the milk fat content requirement for market cream, half-and-half, whipping cream, table cream, sterilized half-and-half, and fluid cream. It would, also, prescribe the minimum milk fat content requirements for heavy cream, heavy whipping cream, light cream, and coffee cream and delete the minimum milk fat content requirements for pastry cream or all purpose cream, as such designations may be used in labeling, advertising, and sale of market cream.

Ch. 456 (SB 719) Johnson. Vehicles: certificates of ownership; special identification plates; foreign commercial vehicles and certain leased vehicles.

(1) Under existing law, the owner of a vehicle is required to file an affidavit with the Department of Motor Vehicles at the time such owner transfers ownership of a vehicle without obtaining registration. In addition, the department may require the filing of affidavits or other information whenever application is made for transfer of registration and the certificate of registration has been lost or is otherwise not available.

This bill, with respect to such provisions, would require a certificate or certification, rather than affidavits.

(2) Existing law exempts logging vehicles, as defined, from registration provisions contained in the Vehicle Code, and requires such vehicles to display an identification plate, for which a service fee of \$5 is imposed. Special construction equipment, special mobile equipment, and cemetery equipment are subject to provisions of existing law which (a) specify the type of application to be submitted for an identification plate, (b) specify that an application for an identification plate must be submitted prior to operation on a highway, (c) provide that the department may issue a special identification plate to a manufacturer or dealer of such vehicles and (d) permit, under specified conditions, a manufacturer or dealer of such equipment to operate or move such equipment upon the highways if such equipment displays an identification plate or device.

This bill would make the above provisions which are applicable to special construction, mobile, and cemetery equipment also applicable to logging vehicles.

(3) Existing law provides certain exemptions with respect to the payment of fees for any foreign commercial vehicle, or leased vehicle, as specified, which on January 1, 1955, was considered exempt from registration under specified provisions.

This bill would repeal such provisions, thus making such vehicles subject to the payment of fees. Such fees could ultimately be deposited in the State Highway Account in the State Transportation Fund, which is continuously appropriated; and therefore, this bill would make an appropriation.

Ch. 457 (AB 273) Deddeh. Judges: South Bay Judicial District

Existing law prescribes the compensation for, and the number of, municipal court employees in San Diego County.

This bill would change the number of, and compensation for, such employees, and in so doing would make other changes in the law.

Existing law provides for 4 municipal court judges in the South Bay Judicial District.

This bill would increase the number of municipal court judges in the South Bay Judicial District from 4 to 5.

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason.

Ch. 458 (SB 172) Song. Costs of suit.

Under existing law, where an offer is made by a plaintiff or defendant to the other party to settle a civil suit before trial, if the other party refuses the offer but at trial fails to receive a more favorable judgment, the party making the offer may recover, in the

court's discretion, costs of expert witnesses incurred and necessary in the preparation of the case.

This bill would also allow such a party making such an offer to recover costs of expert witnesses incurred and necessary for the trial of the case.

Ch. 459 (AB 1065) Papan. Longshoremen's and harbor workers' insurance.

Existing law requires the Insurance Commissioner to approve or issue a classification of risks and premium rates under United States longshoremen's and harbor workers' compensation insurance with respect to operations carried on principally within the borders of this state.

This bill would repeal existing law.

Existing law provides for the existence and operation of qualified rating organizations, and authorizes cooperation between insurers in ratemaking and other related matters. These provisions, however, do not apply to worker's compensation and employers' liability insurance.

This bill would make insurance covering employers against their liability for compensation or damages under the United States Longshoremen's and Harbor Workers' Compensation Act subject to these provisions.

This bill would also take effect immediately as an urgency statute

Ch. 460 (AB 82) Fenton. Labor: occupational safety and health.

(1) Existing law prohibits the discrimination against any employee because, among other things, such employee has filed a complaint or instituted or caused to be instituted any proceeding under or relating to his rights. Any employee who is discriminated against in any manner because the employee made a bona fide complaint to the Division of Industrial Safety is entitled to reinstatement and reimbursement for lost wages.

This bill would specify that such complaint may be oral or written, and may be made to the division, other governmental agencies having statutory responsibility for or assisting the division with reference to employee safety or health, his employer, or his representative. The bill would also make related changes in this regard.

(2) Existing law provides that, if an employer requests specified consulting services from the Division of Industrial Safety, the division shall neither institute any prosecution nor issue citations for violations found by a division representative providing the consulting service except in the case where the conditions of employment, place of employment, or the operation of any machine, device, apparatus, or equipment constitutes an imminent hazard to the lives or safety of employees.

This bill would, instead, provide that if the division representative finds that the conditions of employment, place of employment, or procedure, or the operation of any machine, device, apparatus, or equipment constitutes an imminent hazard or danger to the lives, safety, or health of employees, entry therein, or the use thereof, as the case may be, shall be prohibited by the division.

The employer would not be liable to prosecution or citation or civil penalties except in any case where the employer fails to comply with the division's prohibition of entry or use, or in the case where a person enters a place of employment or uses or operates such place of employment, machine, device, apparatus, or equipment, after a notice of prohibition has been posted by the division, but before it has been made safe.

(3) The bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill.

Ch. 461 (AB 151) Boatwright. Income tax.

(1) The existing Personal Income Tax Law, authorizes a nonrefundable tax credit to certain low-income taxpayers based upon their adjusted gross income. In determining eligibility the taxpayer's adjusted gross income is increased by specified items, including sick pay, moving expenses, employee business expenses, military exclusion, self-employed retirement plan deductions, and forfeited interest penalty.

This law would add to those items increasing adjusted gross income in determining the credit, self-employed defined benefit plan deductions and individual retirement plan deductions. The bill also corrects an erroneous cross-reference.

(2) Existing Personal Income Tax Law establishes limitations on the amount of max-

imum basic benefits under a "defined benefit" retirement plan in order to be qualified for favorable income tax status. While the law states that there is to be reasonable comparability between the maximum retirement benefits under defined contribution plans, defined benefit plans or a combination of those plans, the table in the law permits defined benefit plans, to be qualified with benefits higher than those allowed under a defined contribution plan.

This bill would reduce the maximum allowable benefits under a defined benefit plan for purposes of favorable income tax treatment so that the allowable deduction is comparable to the maximum benefits provided under a defined contribution plan.

(3) Under the existing Personal Income Tax Law, net farm loss in excess of \$15,000 which is deducted from nonfarm income is taxed as an item of tax preference.

This bill provides that in the case of a husband and wife filing separately, the amount of net farm loss in excess of \$7,500 shall be so taxed.

(4) Existing Bank and Corporation Tax Law permits the Franchise Tax Board to grant a corporation a six-month extension for filing a return under specified circumstances.

This bill would permit such an extension to banks as well.

(5) Existing law defines "estimated tax" for purposes of the Bank and Corporation Tax Law

This bill conforms that definition to recent changes in the law.

This bill would take effect immediately as a tax levy, but its operative effect will depend upon the time at which it becomes effective.

Ch. 462 (AB 214) Lehman. Industrial Welfare Commission: mandatory days off

Existing law provides that the maximum hours of work and the standard conditions of labor fixed by order of the Industrial Welfare Commission shall be the maximum hours of work and the standard conditions of labor for employees, with the employment of any employee for longer hours than those fixed by the order or under conditions of labor prohibited by the order being unlawful.

This bill would permit the Chief of the Division of Labor Standards Enforcement to exempt any employer or employees from any mandatory day or days off requirement contained in any order of the commission, when in his judgment hardship will result. Such exemption would be only of sufficient duration to permit the employer or employees to comply with the order, but not more than one year, with a renewal permitted only after the chief has investigated and is satisfied that a good faith effort is being made to comply with the order.

This bill would prohibit an employer from discharging or discriminating against any employee who refuses to work hours in excess of those permitted by the order.

This bill would remain in effect only until June 30, 1979, unless a later enacted statute deletes or extends such date

This bill would take effect immediately as an urgency statute.

Ch 463 (AB 312) Fazio. River port districts workers' compensation.

Under existing law, generally, employees of river port districts are not entitled to the same workers' compensation benefits as provided for under the Longshoremen's and Harbor Workers' Compensation Act.

This bill would authorize any river port district to provide workers' compensation benefits to its stevedore employees in amounts, and under such conditions, as would be payable to stevedore employees of private employers pursuant to the Longshoremen's and Harbor Workers' Compensation Act, in lieu of the benefits provided under designated workers' compensation provisions. The bill would require an agreement to be in writing between the employee and a representative of the district in order for it to be binding. The bill would require that all claims for benefits against the district authorized under the provisions of this bill be determined pursuant to law and the rules and regulations of the Workers' Compensation Appeals Board. It would also authorize the State Compensation Insurance Fund to provide such insurance coverage for the benefits authorized by this bill.

Ch. 464 (AB 352) Lockyer. Health coverage: blanket hospital service contracts.

Existing law provides that blanket disability insurance may be issued to certain enumerated groups.

This bill would provide that a blanket hospital service contract may be issued to those same enumerated groups.

Ch. 465 (AB 408) Deddeh. Development centers for handicapped pupils.

Under existing law, school districts not otherwise eligible for state apportionments may receive state school building aid for the construction of special education facilities and the purchase of essential furniture and equipment for the purpose of educating handicapped pupils in development centers for handicapped pupils. Fifty percent of such aid is to be repaid in 20 equal annual installments, including interest.

This bill would specifically authorize such funding to include services to pupils in development centers who are from other school districts where the education of such pupils is the responsibility of the applicant district by virtue of contracts with the districts in which such pupils are living.

Ch. 466 (AB 417) Chappie. Branding: super-cold brand.

Under existing law, the term "brand" for purposes of branding cattle, horses, mules, burros, sheep, and swine means a design which is permanently impressed on the hide of an animal by burning with acid, a chemical compound, or a hot iron.

Existing law also requires any person who uses a brand on horses, mules, burros, or sheep to comply with the cattle branding laws, except as specified.

This bill would include within the definition of "brand", for the purpose of branding horses, mules, burros, or sheep, a design which is made by applying a super-cold iron, as defined, that permanently causes white hair growth or a bald mark on the animal

Ch. 467 (AB 486) Papan. Insurance: disclosure of policy information by lenders.

Under existing law, persons loaning money secured by real property are prohibited from making information contained in a policy of fire or casualty insurance available to any person for insurance solicitation purposes if the borrower has requested that such information not be made available.

This bill would, in addition, prohibit such lenders from using such information for insurance solicitation purposes where the borrower has requested that the information not be so used.

Ch. 468 (AB 520) Fazio. Public Employees' Retirement System: benefits.

Existing law limits worker's compensation benefits if the surviving spouse or minor children of a member of the Public Employees' Retirement System is paid a special death benefit or a specified pre-retirement survivor allowance. This bill would limit the worker's compensation benefits only if the survivors are eligible to receive the special death benefit or the pre-retirement survivor allowance in lieu of the special death benefit and would make the application of the change in law retroactive to July 1, 1976.

Existing law provides that a special death benefit shall not be paid unless an application for determination of industrial death is filed with the Workmen's Compensation Appeals Board. This bill would delete that provision and instead provide that the retirement board shall determine whether a death was industrial and temporarily pay special death benefits in disputed cases pending a decision by the appeals board.

Existing law requires widowers to attain age 65 years and widows to attain age 62 to be eligible for a specified survivor allowance. This bill would make widowers eligible for such benefit at age 62.

Ch. 469 (AB 656) Tucker. Unemployment compensation disability benefits: carriers of communicable diseases.

Existing law provides that an individual is disabled, for purposes of unemployment compensation disability benefits, when he is unable to perform his regular or customary work because of his physical or mental condition.

This bill would, in addition, provide that an individual is disabled for such purposes when he is ordered not to work by a written order from a state or local health officer because he is infected with, or suspected of being infected with, a communicable disease.

Ch. 470 (AB 657) Chel. Drivers' licenses: operation of motor-driven cycles.

Under existing law, a person with a class 3 driver's license may operate, among other things, any 2-axle vehicle except any bus, a 2-wheel motorcycle, any motor-driven cycle, or a farm labor truck. A person with a class 4 driver's license may operate any 2-wheel motorcycle, and any motor-driven cycle.

This bill would include in such exception any 2-wheel motor-driven cycle, rather than any motor-driven cycle, thus permitting a person with a class 3 driver's license to operate a 3-wheel motor-driven cycle.

The bill would incorporate additional changes in Section 12804 of the Vehicle Code, proposed by Senate Bill No. 348, to be operative only if Senate Bill No. 348 and this bill are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last.

Ch. 471 (AB 655) Statham. Public employees: subpoena.

Present law specifies that members of the California Highway Patrol, sheriffs, deputy sheriffs, marshals, deputy marshals, firemen, and city policemen when subpoenaed in a civil proceeding shall receive their salary and traveling expenses from their employer, and requires the party requesting the subpoena to reimburse the employer therefor.

This bill would include employees of the Department of Justice who are peace officers or analysts in technical fields in these provisions.

Ch. 472 (AB 656) Duffy. Drainage districts.

Existing law provides for the formation of drainage districts of specified powers to provide drainage to agricultural lands other than swamp or overflowed land susceptible to one general mode of drainage by the same system of works upon petition of the holders of title to such land, as specified, hearing before the board of supervisors of the county, and election by the land owners, as specified, in the proposed district.

(1) Existing law requires such a district to establish the offices of the board of directors at the county seat or at some proper and convenient place within the district.

This bill would require such a district to establish the office of the board at some proper and convenient place within or without the district.

(2) Existing law requires, among other things, that the date of any bond of such a district to be prior to its delivery to a purchaser, bear interest not to exceed 8% per annum, and be in the denomination of not less than \$100 nor more [than] * \$1000, and that the secretary keep a record of the bonds sold, their number, the date of sale and price received, and the name of the purchaser.

This bill would delete the requirement that the date of any such bond be prior to its delivery to a purchaser, would conform the district law to existing law regarding the maximum interest rate, would change the permissive denomination to require any such bond to be not less than \$1,000 nor more than \$10,000, and would delete the requirement for the secretary to keep a record of the bonds sold.

(3) Existing law authorizes such a district to sell bonds to raise money to fully carry out the objects and purposes of the district. Existing law requires the district board to adopt a resolution to declare the details of the sale and cause the resolution to be entered in the minutes and that notice of the sale, of specified contents, be published at least 3 weeks before the sale in some newspaper published in the county where the office of the board of directors is located, which, by existing law, is at the county seat or at some proper and convenient place within the district.

This bill would change the period of publication to 2 weeks in some newspaper published in the county where the office of the board of directors is located, which, under the bill would be at some proper and convenient place within or without the district. The bill would also change certain details of contents of the notice and certain details of the procedure in awarding the bonds to the highest responsible bidder.

(4) Existing law provides that the bonds of the district are a lien on the property of the district and establishes the priority of such lien over subsequently issued bonds. Existing law also requires that the bonds, and interest thereon, be paid by revenue derived from assessments upon the real property of the district, as specified.

For bonds issued after January 1, 1978, this bill would delete the provisions establishing the bond lien and the priorities of liens. On such bonds, the bill would require payment from revenue derived from an annual assessment on assessable real property in the

district to the extent funds are not otherwise available. The bill would also expressly authorize the board of the district to pay the principal and interest on bonds of the district from any revenue of the district, including tolls and charges for drainage facilities and other services rendered by the district. The bill would provide that issuance of bonds after January 1, 1978, would not affect the preferred lien status of bonds issued prior to that date.

(5) Existing law provides for tolls and charges to be fixed and collected by the district for the services and benefits of the district.

This bill would also authorize the district to require the county to collect such tolls and charges with the regular tax payments to the county and would specify the procedure therefor.

(6) The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor appropriation made by the act for a specified reason.

Ch. 473 (AB 703) Young. Unemployment compensation: subpoenas.

(1) Existing law provides that an individual is unemployed, for purposes of the unemployment compensation law, in any week during which he performs full-time work for 5 days as a juror, if the wages payable to him for that week are less than his weekly benefit amount.

This bill would, in addition, provide that an individual is unemployed for such purposes in any week during which he performs full-time work for 5 days as a witness under subpoena, if the wages payable to him for that week are less than his weekly benefit amount.

(2) Existing law provides that persons serving on a grand or petit jury who are otherwise eligible for unemployment benefits shall not be deemed unavailable for work because such person is serving as a juror.

This bill would, in addition, provide that persons who are otherwise eligible for unemployment benefits shall not be deemed unavailable for work because such person is responding to a subpoena.

(3) This bill would provide that there are no state-mandated local costs that require reimbursement by this bill for specified reasons.

Ch. 474 (AB 747) Mori. State Teachers' Retirement System.

Existing State Teachers' Retirement Law permits members or retirants to receive credit for teaching positions in child care centers.

This bill would permit disabilitants to also receive such credit, would prescribe the amount of payment by such retirant for such credit, and would provide that only retirants who retired before January 2, 1978 could elect credit for such service.

Ch. 475 (AB 753) Vicencia. Milk: containers.

Under existing law, the Department of Food and Agriculture registers brands used on containers for milk or milk products and assists in the return of containers so branded to the owners thereof.

This bill would do the following:

(a) Increase the application fee from \$5 to \$10 for registration of any brand used on containers of milk or milk products.

(b) Extend the expiration date of any certificate of registration of brand used on such containers from the 30th day of June in each even-numbered year to the 30th day of June of the 4th year after it was granted, and increase renewal fees from \$1 to \$5.

(c) Repeal the provision authorizing the Director of Food and Agriculture to institute a proceeding, in court, to recover for the owner any container which is marked with such a registered brand.

Ch. 476 (AB 776) Fazio. Property tax assistance: nonirrigated lands: drought relief.

Existing law does not provide assistance for livestock raisers or farmers on nonirrigated lands experiencing financial losses due to drought conditions.

This bill would provide state assistance for property taxes to owners or lessees of nonirrigated land in an area declared to be in a state of disaster due to the drought if such owners or lessees meet specified requirements. The program would be administered by the Director of the Department of Food and Agriculture.

The bill appropriates \$10,000,000 from the General Fund to the Director of the Department of Food and Agriculture to make payments of assistance provided for in the bill.

The bill would take effect immediately as an urgency statute and would be repealed on June 30, 1978.

Ch 477 (AB 787) Chel. Dentistry.

Existing law prohibits any person from practicing or offering to practice dentistry under an assumed name and provides that it is grounds for disciplinary action for any dentist to practice or offer to practice dentistry under an assumed name.

This bill would require the Board of Dental Examiners to issue a permit authorizing the practice of dentistry under an assumed name provided specified conditions are met. The bill would specify the fees to be assessed in connection with the issuance of such permit.

Under existing law, all funds collected pursuant to the Dental Practice Act are deposited in the State Dentistry Fund which fund is continuously appropriated.

The additional fees created by this bill would result in an increase in the amount of funds in such continuously appropriated fund.

This bill would also incorporate changes proposed by Assembly Bill No. 722, to be effective if both bills are chaptered and this bill is chaptered last.

Ch. 478 (AB 1001) Brown. State Bar.

Existing law makes no provision for the use of initiative procedures regarding internal matters of the State Bar.

This bill would provide for the use of an initiative by attorneys to recommend to the Supreme Court the adoption, amendment, or formulation of a rule of professional conduct.

Ch. 479 (AB 1037) Montoya. Labeling of prescription drugs and medical devices.

Existing law requires specified drugs or devices to have a label bearing the statement "Caution: Federal law prohibits dispensing without prescription," or "Caution: State law prohibits dispensing without prescription."

This bill would in the alternative specify that such label state, with respect to federal law and the dispensing of certain devices, "Caution: Federal law restricts this device to sale by or on the order of a _____," the blank to be filled in with the designation of the practitioner licensed to use or order use of the device.

Existing law requires all devices bearing the federal legend to be individually labeled for each patient in skilled nursing facilities and intermediate care facilities however no such requirement exists for hospitals.

This bill would exempt from such labeling requirements skilled nursing facilities and intermediate care facilities.

Existing law requires specified drugs and devices to be labeled with, except where the prescriber orders otherwise, the trade name of the drug or if there is no trade name the generic name and name of manufacturer.

This bill would instead require either the manufacturer's trade name or the generic name and the name of the manufacturer on such label. The bill would additionally permit preparations containing 2 or more active ingredients to be identified by the manufacturer's trade name rather than the brand name.

Ch. 480 (AB 1443) Thurman. Unemployment insurance: employer contributions

(1) Existing law provides that specified provisions permitting reduced employer contributions to the Unemployment Fund in specified circumstances shall not apply to wages paid for agricultural labor.

This bill would repeal the exemption for wages paid for agricultural labor from such provisions.

(2) Existing law provides that if the Director of Employment Development determines that any amount of employer contributions for unemployment insurance has been erroneously or illegally collected, he shall refund the amount of the overpayment to the employing unit.

This bill would, in addition, provide that if the director determines that such an

overpayment has been made by an employing unit or the Classified Employees Fund because of specified reasons, and the amount of the overpayment has been reimbursed to the state pursuant to the federal Comprehensive Employment and Training Act of 1973, then the director shall credit the employing unit or the fund with the amount of the overpayment instead of refunding the amount.

Ch. 481 (AB 1467) Suitt. Liens.

Existing law provides for the creation of certain liens in favor of the state, the method of establishing such liens and their priority with regard to other liens.

This bill would revise the method of establishing such liens and their order of priority in relation to other liens.

This bill would become operative on July 1, 1978.

Ch. 482 (AB 1576) Mori. Board members.

Existing law, with specified exception, does not provide for the removal from office of a member of a board or other licensing entity in the Department of Consumer Affairs by the Governor when such person has knowledge of specific questions to be asked on the licensing entity's next examination and he or she directly or indirectly discloses such information in advance of the examination.

This bill would enact such provision.

Ch. 483 (SB 233) Dunlap. Inundation maps: appropriation.

Existing law requires that certain agencies submit to the Office of Emergency Services an inundation map showing potential areas of flooding upon the failure of a dam owned by any of such agencies.

This bill would appropriate \$12,496.91 for disbursement to a specified group of such agencies to reimburse such agencies for costs incurred in the preparation of such dam failure inundation maps.

The bill would also require that the funds to be reimbursed pursuant to such provisions be paid by the State Controller, as prescribed.

Ch. 484 (SB 301) Greene. Weighmasters: license fees.

(1) Existing law fixes the amount of annual license fees for a public and private weighmaster at \$25 for the principal place of business, \$10 for each additional location, and \$5 for each deputy public or private weighmaster.

This bill would increase the above license fees to \$50, \$20, and \$10, respectively.

(2) Existing law fixes the amount of annual license fees for a public weighmaster at large at \$100 for rendering services as a public weighmaster at a principal location and at any temporary location, and an annual license fee of \$5 for each deputy public weighmaster at large.

This bill would increase the above license fees to \$200 and \$10, respectively.

(3) Under existing law all license fees collected from licensed weighmasters are continuously appropriated to the Department of Agriculture Fund.

The increased license fees by this bill would result in an increase of funds continually appropriated to the Department of Agriculture.

Ch. 485 (SB 457) Zenovich. Workers' compensation insurance policies.

Existing law defines "common trade or business," for purposes of workers' compensation group policies, for agricultural enterprises, the building and construction industry, the transportation and warehousing industry, the timber and lumber industry, and public agencies providing industrial, domestic, or agricultural water service.

This bill would add provisions defining "common trade or business," for purposes of workers' compensation, for licensed sheltered workshops and rehabilitation facilities.

Ch. 486 (SB 606) Holmdahl. Regional park districts: violation of rules or regulations; removal of vehicles.

(1) Under existing law, any violation of any ordinance, rule, or regulation of the board of directors of a regional park district is a misdemeanor.

This bill would make any violation of any such ordinance, rule, or regulation which prescribes any speed limit for boats or motor vehicles, (other than an ordinance, rule, or regulation which provides that no boat or vehicle shall be operated or driven at a

speed which endangers the safety of persons, property, or wildlife), which regulates the parking of motor vehicles, or which prohibits the abandonment of motor vehicles punishable as an infraction.

(2) Under existing law, various state and local officers are authorized to remove vehicles from a highway under prescribed conditions.

This bill would extend such authority to any police officer of a regional park district on or about lands, grounds, or properties owned, operated, or administered by the district on or in which a vehicle is located

(3) Under existing state law, various state and local officers, having reasonable cause to believe that a motor vehicle on a highway has been involved in a hit-and-run accident, and that the operator has failed to comply with specified requirements of the Vehicle Code, are authorized to remove the vehicle from the highway for the purpose of inspection.

This bill would extend such authority to any police officer of a regional park district on or about lands or properties owned, operated, or administered by the regional park district.

(4) Under existing state law, various state and local officers are authorized to remove a vehicle from a railroad right-of-way if the vehicle is parked upon any railroad track or within 7½ feet of the nearest rail.

This bill would extend such authority to any police officer of a district on or about lands or properties owned, operated, or administered by the district on or in which a vehicle is located

Ch. 487 (SB 715) Sieroty Industrial loan companies.

Existing law provides that a provision prohibiting industrial loan companies from reducing their capital stock below specified minimums does not apply to premium finance agencies.

This bill would delete this exception, and would further provide that a prohibition against issuing more than 1 class of stock does not apply to premium finance agencies

Existing law provides that an industrial loan company shall not deposit its funds except with a bank, trust company or savings and loan association authorized to do business in this state

This bill would provide that upon request of the Commissioner of Corporations, an industrial loan company shall furnish an authorization for disclosure of financial records of such deposits.

This bill would also make technical changes.

Ch. 488 (SB 761) Nejedly. Public social services.

Existing law permits lists of persons receiving public social services and records concerning such persons, which are otherwise confidential, to be released to other public agencies to the extent required for verifying eligibility or for other purposes directly connected with the administration of public social services.

This bill would also permit such lists and records to be furnished to county superintendents of schools and superintendents of school districts as necessary for the administration of federally-assisted programs providing assistance or services directly to individuals on the basis of need.

The bill would expressly provide that the provisions of Section 10850 of the Welfare and Institutions Code shall be operative only to the extent permitted by federal law

Ch. 489 (SB 824) Zenovich Courts: Fresno County.

Existing law specifies the salaries for municipal court employees in Fresno County

This bill would increase the salary levels of certain municipal court employees in Fresno County and would permit the clerk, with the approval of the board of supervisors, to establish new positions or reclassify existing positions when the business of the court or other emergency requires a greater number of employees or a reclassification thereof.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act

Ch. 490 (SB 877) Holden Sexual assault.

Existing law provides that sodomy and oral copulation are crimes when committed in specified circumstances

This bill would additionally provide that sodomy and oral copulation are crimes, with specified penalties, when the victim is at the time unconscious of the nature of the act and this is known to the person committing the act.

This bill would provide that there shall be no reimbursement or appropriation made by this act for a specified reason.

Ch. 491 (SB 879) Johnson. Recreational lands on the Feather River

Existing law authorizes the Department of Water Resources to construct a recreation project in the vicinity of the City of Oroville along the Feather River, upon specified conditions. Existing law also authorizes the department to exchange land owned by the department and leased to the Department of Fish and Game and adjacent to the dam authorized by Section 12250 of the Water Code for privately owned lands in the immediate area; however, Section 12250 of the Water Code, as amended by Chapter 1023 of the Statutes of 1976, does not expressly authorize a dam

This bill would repeal the authorization for the Department of Water Resources to make such an exchange.

Ch. 492 (SB 887) Ayala. Campaign audits.

Existing law, contained in the Political Reform Act of 1974, provides that no audit or investigation of a candidate or committee in connection with a report or statement filed under the campaign disclosure provisions of the act shall begin until after the last date for filing the first report or statement following the general or special election for the office for which the candidate ran.

This bill would provide an exception to the above in the case of candidates or committees supporting candidates who were defeated in a primary election and who are not required to file statements in connection with the general election. For such candidates and committees audits and investigations may begin after the last date for filing the first report or statement following the primary election.

Ch. 493 (SB 908) Vuich. Elections: in-lieu-filing-fee petitions.

(1) Existing law provides for in-lieu-filing-fee petitions, with the number of signatures required, in some instances, to be determined as a percentage of the registered voters in the election district.

This bill would specify that such percentage shall be computed according to the number of registered voters listed in the latest voter index filed with the Secretary of State.

(2) Existing law provides that any voter registered as affiliated with the same political party as a candidate for whom he is eligible to vote may sign the petition of that candidate, and any registered voter may sign the petition of a candidate, other than a candidate seeking the nomination of his party, for whom he is eligible to vote regardless of political party.

This bill would provide instead that any registered voter may sign an in-lieu-filing-fee petition for any candidate for whom he is eligible to vote.

(3) Existing law provides that no voter shall at the time of signing a petition in lieu of a filing fee have his name signed to any other petition for any other candidate for the same office, or, in case there is more than one place to be filled in the same office, signed to more petitions for candidates for that office than there are places to be filled

This bill would provide instead that if a voter signs more candidates' petitions than there are offices to be filled, the voter's signatures shall be valid only on those petitions which, taken in the order they were filed, do not exceed the number of offices to be filled.

(4) Existing law provides that a candidate may submit the appropriate number of signatures to cover all or any pro rata portion of the filing fee, and that upon receipt of signatures, the clerk shall issue nomination papers provisionally, subject to checking the validity of the signatures against the affidavits of registration on file in his office. In the event that upon checking, the number of valid signatures falls below the number required, the clerk shall notify the candidates of the fact and shall accept any necessary

signatures at any time prior to the close of the period for circulating nomination papers.

This bill would provide instead that in-lieu-filing-fee petitions must be filed at least 15 days prior to the close of the nomination period. Upon receipt of the minimum number of in-lieu-filing-fee signatures required, or a sufficient combination of such signatures and a pro rata filing fee, the clerk shall issue nomination papers provisionally. Within 10 days after receipt of a petition, the clerk must notify the candidate of any deficiency. The candidate must then, prior to the close of the nomination period, either submit a supplemental petition, or pay a pro rata portion of the filing fee, to cover the deficiency.

(5) Existing law does not specify the qualifications of circulators of such petitions.

This bill would provide that a circulator must have the qualifications required for circulating an initiative, referendum, or recall petition.

(6) Existing law requires forms for such petitions to be available 30 days before the first day for circulating nomination papers.

This bill would extend such date to 45 days before the first day for circulating nomination papers.

Ch. 494 (SB 1114) Nimmo. Elections: overseas voters.

Existing law provides a special procedure governing the voter registration and voting of a person in any federal election, as defined, for any person who resides outside of the United States when such person was domiciled in California immediately prior to his departure from the United States. It prescribes the duties of the Secretary of State and county clerks in connection with such procedures. In addition, existing law requires county clerks to cancel the affidavits of registration of each person registered to vote under such provision when the person fails to vote at the direct primary or statewide general election and fails to return a notification card.

This bill would substantially revise the existing provisions governing the registration and voting of overseas voters and the related cancellation of affidavits of registration.

Ch. 495 (SB 1149) Dunlap. Land conservation: open-space easements.

Existing law does not provide that the parties to an agreement to enforceably restrict property under the Williamson Act may rescind the act to simultaneously enter into a new contract for at least as long as the unexpired term of the contract being rescinded or to enter into an open-space easement agreement pursuant to the Open-Space Easement Act of 1974, which easement would enforceably restrict the same property for an initial term of not less than 10 years.

This bill would add such provisions and would effectively provide that no change in the assessed value would take place as a result of such rescission.

The bill would also require that the initial term of the new contract be not less than 10 years.

Ch. 496 (SB 1151) Russell. Cemeteries: investment of special care funds

Present law provides for regulation of cemetery endowment care funds and special care funds. Under existing law, the corpus of special care trusts is required to be invested and reinvested in specified types of investments. Similarly, existing law requires that endowment care funds be invested and reinvested in prescribed investments. However, current law permits endowment care funds to be invested in more types of investments than special care funds.

This bill would permit investment of the corpus of irrevocable special care trusts in investments permitted for endowment care funds.

Ch. 497 (SB 1216) Roberti. Community college buildings: earthquake safety

Under existing law, all public school buildings, with specified exceptions, which have been examined and found to be unsafe, must be repaired, reconstructed or replaced in accordance with Field Act structural standards by June 30, 1975, unless the State Allocation Board has granted an extension under specified criteria. Under current law such an extension may be granted to no later than June 30, 1977.

This bill, which would apply only to the Los Angeles Community College District, would extend the date of compliance to June 30, 1979.

The bill would take effect immediately as an urgency statute.

Ch. 498 (SB 190) Ayala. Coroners.

Existing law requires coroners to inquire into and determine the circumstances, manner, and cause of certain specified types of human deaths.

This bill would additionally require coroners to perform such inquiry and determination whenever a patient dies in a hospital operated by the State Department of Health or a successor agency.

Under existing law, certain information and records obtained in the course of providing health services are confidential unless the disclosure comes within a specified exception.

This bill would authorize the disclosure of all factual and clinical information about a patient who dies while hospitalized in a state mental institution to coroners.

This bill would also appropriate \$37,000 to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this act.

Ch. 499 (SB 221) Zenovich. Lien termination.

(1) Under existing law, the service upon a defendant of a temporary protective order creates a lien upon property described in the order. The lien terminates on the date of expiration of the order, except as to property upon which a writ of attachment has been levied during that period. The lien also terminates upon transfer of the property to a bona fide purchaser or encumbrancer for present value or a transferee in the ordinary course of business. Under existing federal law, a trustee in bankruptcy may initiate proceedings to obtain an order declaring void the lien of a temporary protective order.

This bill, in addition, would provide that the lien terminates upon the making by the defendant of a general assignment for the benefit of creditors or the filing by or against the defendant of a proceeding under federal bankruptcy statutes, if such assignment or filing is made within 4 months after the lien was created. It would also provide for reinstatement of the lien if the defendant is not finally adjudged a bankrupt and if no arrangement or plan is proposed and confirmed.

(2) Under existing law, except as otherwise specified, levy of a writ of attachment creates a lien on the property levied upon and is valid against all subsequent transferees of the property. The lien generally terminates 3 years after the issuance of the writ of attachment under which the levy was made, unless extended by court order. Under existing federal law, a trustee in bankruptcy may have an attachment lien voided by showing that the defendant was insolvent when the lien was obtained and that the lien was obtained within 4 months before the petition in bankruptcy was filed.

This bill, in addition, would provide that the lien terminates upon the making by the defendant of a general assignment for the benefit of creditors or the filing by or against the defendant of a proceeding under federal bankruptcy statutes, if such assignment or filing is made within 4 months after the lien was created. It would also prescribe the procedure for the release of an attachment upon the request of an assignee, a trustee in bankruptcy, a receiver, or the debtor in possession, where the attachment terminates, pursuant to specified provisions of the bill.

The bill also would provide that, upon the making of a general assignment for the benefit of creditors, an assignee is subrogated to the rights of the attaching creditor.

Ch. 500 (SB 638) Song. Discovery.

Under existing law, various provisions relate to discovery by interrogatories or requests for admissions.

This bill would recodify such provisions into a single section. Among other things, it would delete requirements that the first page of interrogatories or requests for admissions, or responses, be filed with the court. It would require that responses be served in the same manner as for service of a summons, rather than in the manner for service of notices. It would also provide that responses would be made between the interrogatories or requests propounded in space provided in the propounding document.

Such interrogatories, requests, or responses would be filed with the court in the court's discretion. They would be required to be furnished to persons not parties to the action upon request made to the court. Attorneys would be required to retain such documents for at least 5 years after final disposition of the action.

Ch. 501 (SB 813) Cusanovich. Credit unions: interest rates on loans.

Existing law precludes a credit union from charging more than 1% per month interest, for any loan, including all charges incident to the making of the loan and provides that the cost of any insurance, and any cost of acknowledgment, certification, registration, or recordation actually paid by a credit union in connection with a loan is not a charge incident to the making of such loan.

This bill would preclude charging more than 15% per annum simple interest on the unpaid balance for any loan, including all charges incident to the making of the loan. This bill would provide that charges incident to the making of the loan do not include, in addition to those costs already excluded by existing law, the cost of filing, independent appraisals, separate escrows, and other fees actually paid to third parties in connection with a loan.

Ch. 502 (SB 755) Nimmo Elections: declarations of intent.

Under existing law, no person may be a candidate for the Legislature at the direct primary election unless he or she has filed a declaration of intent; provided, however, that if the incumbent for the office, for any reason, fails to qualify for nomination for the office by the last day for filing nomination papers, an additional five days is allowed for the filing of nomination papers, and any person otherwise qualified may file nomination papers for the office during the extended period, notwithstanding the fact that such person has not filed a declaration of intent.

This bill would delete [limit] of the provision for such extended period for filing nomination papers, and provide instead for a 5-day extension for filing declarations of intent if the incumbent for the office fails to file a declaration of intent or files but fails to qualify for nomination for some other reason.

Under existing law a candidate for the Legislature is required to pay his filing fee upon filing his declaration of intent.

Ch. 503 (AB 478) Dixon. Liability insurance: counties: cities: notice of cancellation or nonrenewal.

Under existing law, liability insurers providing insurance to cities or counties are not required to deliver any notice of intent to cancel or to not renew.

This bill would provide that such insurers may not cancel or decline to renew a policy insuring a city, county, or city and county as a named insured unless notice of cancellation or nonrenewal is given to the city, county, or city and county 90 days or more prior to the effective date of the cancellation or 30 days or more prior to the effective date of nonrenewal.

Ch. 504 (SB 36) Cusanovich. Motor vehicles: records.

Existing law specifies that various records of the Department of Motor Vehicles are open to public inspection during business hours.

This bill would provide, notwithstanding such provisions, that the home address of certain peace officers, as specified, appearing in any record of the department is confidential and shall not be disclosed to any person, except a court or law enforcement agency, if the peace officer requests confidentiality. Further, the bill would require the department to inform any person requesting a confidential home address of the law enforcement agency of which the peace officer is a member.

The bill's provisions would become operative on July 1, 1978.

Ch. 505 (AB 199) Fenton. Public Employees' Retirement System.

Existing Public Employees' Retirement Law permits a retired local policeman or sheriff's deputy to serve as a school crossing guard without loss of retirement benefits.

This bill would permit any retired person to serve as a school crossing guard without loss of retirement benefits.

Ch. 506 (AB 286) Thurman. Removal of overweight load.

Existing law authorizes any traffic officer to order removal or reloading of such portion of an overweight load as may be necessary to reduce it to limits permitted by the Vehicle Code.

This bill would authorize the traffic officer to note on the certified weight certificate or bill of lading, if one accompanies the vehicle, the fact that a portion of the load has been removed to bring the vehicle and load within the allowable weight limit specified

in the Vehicle Code.

Ch. 507 (AB 573) Greene School district organization.

Existing statutory law prescribes a number of procedures for the reorganization of school district territory. Pursuant to such procedures, the formation of a new district may take place by petitioning the State Board of Education for approval of a proposal to form a new district.

This bill would authorize the State Board of Education to make an areawide tax support program applicable to all territory included in such a proposal, and would empower the State Board of Education to fix the rate of areawide tax within prescribed minimum and maximum limits.

Ch. 508 (AB 704) Young Unemployment insurance: reconsideration.

Existing law permits the Employment Development Department to reconsider for good cause specified rulings and determinations of the department within 15 days after mailing or personal service of the notice of ruling or determination, and regardless of whether an appeal has been taken.

This bill would instead permit the department to reconsider for good cause any ruling or reconsidered ruling within either 5 days after the date an appeal is filed or, if no appeal is filed, within 20 days after mailing or personal service of notice of the ruling or reconsidered ruling.

Ch. 509 (AB 722) Duffy Healing arts: excessive treatment as unprofessional conduct.

Existing law generally provides that excessive treatment, or prescribing or administering of drugs, or diagnostic treatment detrimental to the patient, constitutes unprofessional conduct in application to healing arts licentiates.

This bill would specifically require repeated acts of such excessive measures and would delete the qualification that such excessive measures be detrimental to the patient in order to constitute unprofessional conduct with respect to physicians and surgeons as defined, dentists, podiatrists, psychologists, physical therapists, chiropractors, or optometrists.

This bill would also incorporate changes proposed by Assembly Bill No. 787, to be effective if both bills are chaptered and this bill is chaptered last.

Ch. 510 (AB 814) Young Franchises.

No provision of existing law guarantees the right of a franchisee to join an association of franchisees.

This bill would make it a violation of law, but not a crime, for any franchisor, directly or indirectly, to restrict the right of a franchisee to join a trade association or to prohibit the right of free association among franchisees for any lawful purpose.

This bill would also give a cause of action to any person injured by a violation of its provisions.

Ch. 511 (AB 818) Bates Unemployment insurance: assessments.

Existing law provides that if the Director of Employment Development finds that any employer, in submitting facts pursuant to specified provisions, willfully makes a false statement or representation or willfully fails to report a material fact concerning the termination of an unemployment insurance claimant's employment, the director shall make a determination charging the employer's reserve account an amount within specified limits.

This bill would instead provide that if the director finds any employer, in submitting facts concerning the termination of a claimant's employment pursuant to the same and additional specified provisions, willfully makes a false statement or representation or willfully fails to report a material fact concerning such termination, the director shall assess a penalty against the employer in an amount within the same specified limits.

Ch. 512 (AB 832) Keene Courts: Mendocino and Ventura Counties

Existing law provides specific salary levels for full-time official reporters for the superior courts of Mendocino County.

This bill would require that official full-time reporters receive salaries recommended

by the superior court and approved by the board of supervisors, and upon such recommendation and approval, to be employed at or granted special step increases within the salary range based on experience or qualifications.

The bill would require that official reporters pro tempore of the superior courts be paid the equivalent of the daily wage of the first step in the salary range for full-time official reporters.

Until such time as the salaries are approved by the board of supervisors, the bill would require that such reporters receive the salaries provided by existing law.

Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in certain counties, and to audit and inspect such records, and submit an annual report to the boards of supervisors of the certain counties and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for Mendocino County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Mendocino County and the Legislature.

This bill would also make the above provisions of the act inseverable.

Existing law does not specifically permit sessions of the superior court to be held in the City of Santa Paula in Ventura County.

This bill would, until January 1, 1979, permit concurrent daily sessions of the superior court to be held in the City of Santa Paula in Ventura County.

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 513 (AB 882) Papan. State Fireworks Law.

Under existing provisions of the State Fireworks Law, it is unlawful for any person to sell, give, or deliver any dangerous fireworks to any person under 18 years of age.

This bill would make it unlawful for any person who is a retailer to sell or transfer any safe and sane fireworks to a person under 16 years of age. The bill would revise the definition for "dangerous fireworks" for the purposes of the State Fireworks Law.

The bill would provide that there would be no reimbursement to local agencies for costs incurred under the act because of a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 514 (AB 907) Rosenthal. Teaching credentials.

Currently, the Commission for Teacher Preparation and Licensing may issue certain specialist credentials to an applicant who has a specified valid regular California teaching credential and who received certain specialized advanced training which was commenced on or after the 1964-65 school year and completed on or before September 15, 1977, or who acquired such specified training and specified experience in the specialization, commencing on or after September 1, 1970. Applications for reading specialist credentials are required to be made by September 15, 1977.

This bill would permit application for bilingual-crosscultural specialist credential to be made up to September 15, 1979, rather than September 15, 1977.

This bill would take effect immediately as an urgency statute.

Ch. 515 (AB 926) Keene. Coastal resources: ports and harbors.

The existing California Coastal Act of 1976, generally, sets forth designated policies in connection with management of the coastal resources, provides for the regulation of development, as defined, within designated areas of the state's coastline, and provides for the certification of local coastal programs, required to be prepared by cities and counties, for purposes of carrying out policies of the act.

The existing provisions of the act declare that the ports of this state are an essential element of the national maritime industry, that the location of port districts are well established, and that ports are to be encouraged to modernize and construct necessary facilities within their boundaries.

This bill would specifically include Humboldt Bay Harbor, Recreation, and Conservation District within such provisions of the act applicable to ports in the state.

Ch. 516 (AB 940) Papan. Department of Motor Vehicles: varied office hours.

Existing law, generally, requires all offices of every state agency, including the Department of Motor Vehicles, to be kept open for business from 8:00 a.m. until 5:00 p.m. of each day from Monday to Friday, other than legal holidays. Existing law also authorizes state agencies to remain open for the transaction of business on other hours and other days. Under such authorization, the department has kept some of its offices open for the transaction of business beyond 5:00 p.m.

This bill would require the department to conduct a pilot program to determine the feasibility of using flexible office hours in field offices of the department. Pursuant to such program, the Director of Motor Vehicles would be authorized to designate such days and hours during which departmental field offices shall be open for business other than during normal office hours. The bill would require, however, that field offices remain open not less than 44 hours each 5-day workweek and 43 hours each 4-day workweek, except those weeks which include a legal holiday, as specified. The director would be authorized to designate certain field offices to be open for business on Saturdays, except that not more than 12 different offices at any given time shall be open for business Tuesday through Saturday.

The bill would require the director to survey employees in the pilot offices to determine their preferences for variable hours, and, to the extent practicable, to prepare variable-hours work schedules through the use of employees who volunteer to work such hours and so as to coincide with employee preferences. The director would also be required to meet and confer with recognized employee organizations, as specified, affected by the pilot program and consider recommendations from such groups. The department would also be required to provide data collected from the pilot program to such organizations, and the organizations would specifically be permitted to prepare a composite analysis of the data and furnish it to the department for inclusion in the department's report to the Legislature.

The bill would require the department to submit a progress report to the Legislature not later than December 31, 1978, and a final report not later than December 31, 1979.

The provisions of the bill would remain in effect only until and including December 31, 1979, and as of such date would be repealed, unless a later enacted statute, which is chaptered before December 31, 1979, deletes or extends such date.

The bill would take effect immediately as an urgency statute.

Ch. 517 (AB 812) Young. Workmen's Compensation Appeals Board: hearings.

Existing law prohibits the Workmen's Compensation Appeals Board and the administrative director of the Division of Industrial Accidents from adopting, amending, or rescinding any rule or regulation of the appeals board or administrative director, unless a public hearing is held at which an opportunity is afforded for interested persons to be heard or to present statements with respect to the proposed rule, regulation, amendment, or rescission thereof. Specified notice of such hearing is required.

This bill would add additional requirements to the contents of the notice to be given of the hearing, and would require the appeals board and administrative director to give interested persons the opportunity to participate in the rulemaking through submission of written data or arguments, with opportunity for oral presentation.

The bill would require that, if the appeals board or the administrative director adopts a rule, it or he shall publish a concise, general statement of the reasons for the adoption of the rule, and send it to persons who have requested notice of the hearings.

The notice which this bill would require would have to be made not less than 30 days prior to the public hearing date.

Ch. 518 (AB 1146) Fazio. Public Employees' Retirement System: benefits.

Existing Public Employees' Retirement Law permits retired members to have insurance premiums deducted from their retirement allowance payments.

This bill would also permit retired members to have credit union payments or shares similarly deducted and would require the credit union to pay any additional costs.

Ch. 519 (AB 1168) Priolo County highways: abandonment.

(1) Under existing law, the board of supervisors may summarily abandon any portion of a county highway superseded by relocation, unless the abandonment would cut off all access to the property of any person which adjoined the proposed to be abandoned highway, by the filing of a certified copy of the resolution of abandonment with the office of the county recorder. The board of supervisors may abandon, after posting notices and holding public hearing, any county highway which for a period of 5 consecutive years is impassable for vehicular travel and on which during that period no public funds were expended for its maintenance, if the county highway was not dedicated to the public by deed or by express dedication of the owner or acquired by eminent domain proceedings.

This bill would also authorize a board of supervisors to summarily abandon (a) any county highway, including one acquired by such dedication or eminent domain proceeding, which for a period of 5 consecutive years is impassable for vehicular travel and on which during that period no public funds were expended for maintenance, (b) any excess right-of-way of a county highway not required therefor, and (c) any portion of a county highway which lies within land under 1 ownership and which does not end touching the land of another.

(2) Under existing law, the abandonment of a county highway, or the disposal of such property, may not extinguish the easement of access, regardless of origin, of any parcel of land to the general system of streets and highways or result in any parcel not having any access to a public street or highway.

The bill would, instead, provide that the abandonment of a county highway, or disposal of such property, may not extinguish any existing private easement of access, regardless of origin, appurtenant to lands abutting the highway. Such easements would be subject to extinguishment under the laws of this state governing abandonment, adverse possession, waiver, and estoppel. The nonuse of such an easement for a period of 5 consecutive years would constitute a conclusive presumption of abandonment.

(3) Under existing law, the clerk of the board of supervisors is required to record a certified copy of the order of abandonment in the office of the county recorder. The order is required to be attested by the clerk under the seal of the board.

The bill would delete the requirement that the order be attested by the clerk under the seal of the board.

(4) The bill would exempt specifically, from the order of abandonment of a county highway, any public easement thereon owned by a city or district which files a verified notice of its public easement with the county recorder within 30 days of receiving a notice from the county of its intent to abandon the highway.

Ch. 520 (SB 65) Garcia. Elections: ballot pamphlets.

Existing law requires the county clerk to send a ballot pamphlet to each registered voter.

This bill would require the county clerk to instead send a ballot pamphlet to each registered voter residing in the county, at the postal address stated on his or her affidavit of registration, provided, upon the appropriate action of the board of supervisors, that only one ballot pamphlet shall be mailed to two or more registered voters having the same surname and the same postal address.

Existing law requires ballot pamphlets to contain specified matter.

This bill would require ballot pamphlets to also contain a notice indicating that additional copies of the pamphlet will be mailed by the county clerk to any person upon request; and it would require a county clerk to mail a pamphlet to any person so requesting.

It also provides that no appropriation or reimbursement is made to local agencies for costs incurred by them pursuant to this bill.

Ch. 521 (SB 83) Nejedly. Victims of crime: recompense for losses.

(1) Existing law provides for certain financial assistance by the state to victims of crimes of violence, as defined, who suffer financial loss which the victim is unable to recoup without serious hardship.

This bill would include within the term "victim of a crime of violence" a person who suffered injury or death caused by driving under the influence of narcotics, or the driver

of a motor vehicle fleeing the scene of a crime of violence.

(2) Existing law directs the staff of the State Board of Control to appoint a clerk to review applications for assistance under these provisions.

This bill would delete the authority to appoint a clerk for this purpose.

(3) Existing law declares a victim ineligible for assistance under these provisions if the victim participated or was otherwise involved in the crime, failed to cooperate with law enforcement personnel, or will not suffer serious financial loss as a result of the crime.

This bill would provide that an application may be denied, in whole or in part, if the victim was involved in the crime or will not suffer serious financial loss, and that a victim shall be ineligible for assistance if the victim participated in the crime or failed to cooperate with law enforcement personnel.

(4) Existing law subrogates the state to the rights of a victim to the extent of cash payments granted pursuant to these provisions and entitles the state to a lien on any recovery by the victim from the perpetrator. It also permits the state to recover this amount in a separate action or by intervention in an action by the victim.

This bill would, in addition, require that notice of institution of an action against the perpetrator, or settlement thereof, or other legal notice be given the State Board of Control or Attorney General, as specified, by the victim or his personal representative. It would specify the provisions under which the lien may be established.

The bill would also require decisions of the board to be in writing with a copy to the applicant, would permit reconsideration of any such decision on its own motion or request of the applicant, and would specify the time within which any petition for judicial review shall be filed.

Ch. 522 (SB 128) Robbins. Property taxation: church exemption.

Existing constitutional and statutory provisions exempt from property taxation the buildings, land on which they are situated, and equipment used exclusively for religious worship. This exemption is known as the church exemption from property taxation, and there is no requirement that a religious organization own the property in order for the exemption to apply.

This bill would provide, with respect to property leased for church purposes, that if the lease does not specifically provide that the church exemption is taken into account in fixing the terms of the lease, the tenant shall receive a reduction or refund of rental payments for each month of occupancy, or portion thereof, during the fiscal year equal to $\frac{1}{12}$ of the property taxes not paid during such year by reason of the church exemption. The bill would apply to contracts entered into on and after the effective date of the bill.

Ch. 523 (SB 169) Rodda. Schools: early childhood education: Miller-Unruh Basic Reading Act of 1965: adult education programs.

(1) Under existing law, the amount allowed pursuant to the Early Childhood Education Act is reduced by the amount allowed pursuant to the Miller-Unruh Basic Reading Act of 1965.

This bill would provide that such reduction be computed on a per-school basis.

(2) Under existing law, any school district which receives an allowance under both the Early Childhood Education Act and the Miller-Unruh Basic Reading Act of 1965, is authorized to utilize the Miller-Unruh allowance in various grade levels.

This bill would provide that such authorization would exist at the school level, rather than at the district level.

(3) Currently, it is provided that no revenue derived from the average daily attendance of adult education programs shall be expended for other than adult education purposes.

This bill would provide an exception if the adult average daily attendance is also composed of attendance of a regional occupational center or program, and permit allocation of adult revenues between the two types of programs without limitation as to particular proportions.

(4) This bill would specify that the changes in the law made by it shall be deemed to have been operative for the entire 1976-77 and 1977-78 fiscal years, and would require that public officers and employees take appropriate action for such retroactive operation.

(5) This bill would take effect immediately as an urgency statute.

Ch. 524 (SB 309) Cusanovich. Ventura County flood control.

Existing law requires that contracts of the Ventura County Flood Control District for any improvement or unit of work be let to the lowest responsible bidder in accordance with specified procedures, except that the district may perform work by force account when no bids are received, or all bids are rejected, or the estimated cost of the work does not exceed \$5,000, or the work is emergency work.

This bill would permit the district to perform the work by negotiated contract, as well as by force account, under the foregoing circumstances.

Ch. 525 (SB 673) Rains. Camarillo State Hospital: lease

This bill would authorize the Director of General Services to let, for not to exceed 30 years, property at Camarillo State Hospital to a nonprofit corporation for purposes of conducting an educational and work program for mentally retarded persons under specified conditions.

Ch. 526 (AB 762) L. Greene. Professional engineers and land surveyors.

Existing law requires the executive secretary of the State Board of Registration for Professional Engineers to publish a roster showing the names and addresses of all registered professional engineers and land surveyors in each even-numbered year and to publish a supplement in each odd-numbered year. The law requires a copy of each publication to be furnished to each registered professional engineer and land surveyor and requires copies to be available on application to the secretary.

This bill would require such rosters to be published every 4 years and the supplement to be published every year. The bill would delete the requirement that such publications are to be furnished to each registered engineer and land surveyor.

Existing law defines the practice of electrical engineering and mechanical engineering, for purposes of professional engineering, to include, among other things, a person in responsible charge of electrical or mechanical engineering work other than as an employee of an employer and receiving wages or salary for such work

This bill would revise such definition by deleting the exemption for such an employee.

Existing law requires an applicant for registration as a professional engineer and an applicant for certification as an engineer-in-training to pass an examination.

This bill would specify that applicant for certification as an engineer-in-training must pass the first division of the examination and the applicant for registration as a professional engineer must pass the second division of the examination. The bill would make related changes relating to the divisions of the examination.

Ch. 527 (AB 1329) Mello. Monterey Peninsula Water Management District.

Existing law does not specifically provide for a water management district for the Monterey Peninsula.

This bill would create the Monterey Peninsula Water Management District, prescribe the boundaries of the district, and specify the powers, duties and organization of the district. The bill would also specify the mode of assessment and a system of service charges to finance the district and would provide for the creation, changes, and dissolution of zones within the district.

The bill would also provide that there shall be no appropriation made by the act, nor any obligation created under Section 2231 of the Revenue and Taxation Code, for the reimbursement of any local agency for any costs that may be incurred by it pursuant to the act.

Ch. 528 (SB 811) Ayala. Firearms: carry or bring into vehicle: discharge.

Existing law prohibits the carrying of loaded firearms in vehicles in public places and public streets of incorporated cities or of prohibited areas of unincorporated areas with exceptions for specified persons. Existing law also prohibits the possession of a loaded rifle or shotgun in a vehicle on or along any public highway or other way open to the public except by peace officers or members of the armed forces.

This bill would make it a misdemeanor for a driver of any motor vehicle or the owner of any motor vehicle knowingly to permit any other person to carry into or bring into the motor vehicle a firearm in violation of the above-referenced prohibitions or knowingly to permit such other person to unlawfully discharge any firearm from such vehicle.

This bill would provide that no appropriation or reimbursement is made for costs incurred by local agencies pursuant to this bill.

Ch. 529 (SB 570) Beverly. Public entities: insurance.

Existing law contains no express provisions requiring an insurance issuer that has issued insurance to a state agency or local public entity to give 45 days notice to such agency or entity before cancellation or nonrenewal of a liability insurance policy.

This bill would make such provision.

Ch. 530 (SB 922) Johnson. Elections: Republican State Central Committee.

Under existing law, the Republican national committeeman and national committeewoman, and the immediate past chairman of the Republican State Central Committee, are members of that committee.

This bill would authorize the Republican national committeeman and committeewoman, the current chairman and vice chairman of the Republican State Central Committee, and the immediate past chairman of that committee, to appoint 3 voters to the Republican State Central Committee, 2 of whom would have to be of the opposite sex of the appointing member. The bill would also make a clarifying change with regard to the revocation or change of proxies on such committee.

Ch. 531 (SB 1041) Dunlap. Special education: handicapped adults.

Current law authorizes the governing board of any school district maintaining secondary schools, with the approval of the Department of Education, to establish special classes for handicapped adults which are provided by nonprofit organizations or in public school facilities.

This bill would provide that such facilities may include those where part-time paid work education and training is conducted and where less than the state minimum wage is paid.

Ch. 532 (SB 1124) Sieroty. Records: narcotic and drug abuse programs.

Under existing law, records of identity, diagnosis, prognosis, or treatment of any patient which are maintained in connection with the performance of any narcotic and drug abuse program are generally subject to the provisions of law relating to records generally.

This bill would provide that such records would be confidential, unless released by the patient or under other specified conditions, such as medical injury, scientific research, audits, and a court order.

This bill would also provide there would be no appropriation or reimbursement of expenses for costs incurred by local agencies pursuant to this bill.

Ch. 533 (AB 1883) Dannemeyer. Schools: county superintendent.

Under existing law various school functions are performed on a countywide basis by county officers and employees.

Existing law allows a county board of supervisors to transfer certain educational functions to a county board of education.

This bill would relieve the county auditor of performing various services for school districts, community college districts, and other school agencies within the county, when such a transfer of functions has taken place, and would impose such responsibility upon the county superintendent of schools.

This bill would also effect an increase in the maximum allowable tax rate of the county superintendent of schools, and a corresponding decrease in the maximum tax rate of the county, equivalent to the cost of services previously rendered by the county auditor, when the county board of supervisors has transferred educational functions to the county board of education.

The bill would take effect immediately as an urgency statute.

Ch. 534 (SB 1136) Alquist. State property.

Existing law authorizes the Director of General Services, with the consent of the State Department of Health, to let, subject to certain conditions, property at Agnews State Hospital to a nonprofit corporation for purposes of conducting an educational and work program for mentally retarded persons. Any lease executed pursuant to such provisions

is required to include a provision that such lease shall be canceled if permanent facilities are not constructed on the leased land within 5 years of the effective date of such provision.

This bill would revise such provisions to include handicapped persons generally within the purposes of conducting the education and work program and would extend the date by which permanent facilities must be constructed on the leased land to January 1, 1983.

Ch. 535 (SB 797) Holden. Public schools and community colleges: personnel commission—examinations.

An existing statute authorizes the personnel commission of a merit system school district or community college district, when open and promotional examinations for a particular classified employee class are held at the same time, to authorize certification of candidates from the open list before the promotional list has been exhausted if (1) the open list candidate's score is higher, as specified and (2) either there are less than 3 positions in the class or the most recent promotional examination for the class has failed to produce an adequate number of available eligibles to fill all regular vacancies developed during the first year of the life of the list.

This bill would delete the second condition.

Ch. 536 (SB 1145) Johnson. Acquisition of specified land for park purposes.

Under existing law (Ch. 73, Stats. 1950 (1st Ex)), title to Bidwell River Park is in Butte County pursuant to a grant of the property by the state.

This bill would authorize Butte County to transfer a described portion of the property back to the state for state park purposes.

The bill would take effect immediately as an urgency statute.

Ch. 537 (AB 390) Cullen. Fire protection; water charges.

Existing law provides for fire protection districts of specified powers, and also provides for other public agencies and districts to provide water to the territory in such other public agencies. Existing law generally authorizes such other public agencies to charge fire protection districts for water and facilities furnished to such fire protection districts for fire protection purposes and to collect such charges at the same time as other water charges collected by the public agency, or in any other manner as may be determined by the agency.

This bill would delete the authority for a public agency to collect such charges in any manner except at the same time as other water charges are collected, and then such collections could be made only pursuant to a written agreement with a fire protection district or other public agency providing fire protection.

Ch. 538 (AB 1505) Hart. State agencies.

(1) Existing law authorizes a person, subject to certain conditions, to petition a state agency to request the adoption or repeal of a regulation.

This bill would revise such provisions to expressly authorize a person to, in addition, petition a state agency to request the amendment of a regulation.

(2) Existing law specifies a procedure for the granting or denial of a request for a petition requesting the adoption, amendment, or repeal of a regulation.

This bill would revise such provisions to, among other things, require a state agency when denying a petition to indicate the basis of such denial, to authorize a partial grant of such petition, and establish a procedure for the reconsideration of a denial of a petition.

Ch. 539 (AB 804) Brown. Taxation: improvements.

Existing law excludes telephone and telegraph lines from the category of improvements to real property.

This bill would remove this exclusion.

The State Constitution provides that no legal or equitable process may be issued in any court to enjoin or prevent the collection of any tax. But a predecessor to the present provision has been held by the courts to not apply to the collection of local property taxes.

This bill would prohibit by statute any injunction or writ of mandate against a local agency to prevent or enjoin the collection of property taxes.

Ch. 540 (AB 1158) Chel. Restraint of trade: district attorney.

Under existing law, the Attorney General may bring a cause of action on behalf of the state or any of its public subdivisions or public agencies for restraint of trade.

This bill would authorize the district attorney of a county to prosecute such action on behalf of such county or any city or public agency or political subdivision within such county whenever it appears that the activities giving rise to such prosecution occurred primarily within such county, provided the district attorney files with the Attorney General, prior to filing such action, a copy of the proposed complaint together with a report of the facts of the case, and further provided, that prior to entering into any settlement or consent judgment, that the district attorney files a copy thereof with the Attorney General. The Attorney General would have authority to take charge of any such investigation or action if he deemed it in the public interest. The bill would provide for the payment of the district attorney's expenses out of the proceeds of the action, or in an amount equal to 10% thereof, whichever is greater provided that in any such action which is a class action, the district attorney must instead retain the proceeds, if any, of any attorneys' fees awarded by the court.

Ch. 541 (AB 1159) Chel. Combinations in restraint of trade.

Under existing law, any action by a private citizen, the state, or any public agency or political subdivision brought under Section 16750 of the Business and Professions Code to recover civil damages for an injury to the business or property of such citizen or entity, which injury is caused by a violation of the Business and Professions Code provisions relating to combinations in restraint of trade, is required to be commenced within 4 years after the cause of action accrued.

This bill would broaden such provision for a 4-year statute of limitation to apply, generally, to any civil action to enforce any cause of action predicated upon a violation of any of the Business and Professions Code provisions relating to such combinations in restraint of trade.

Ch. 542 (AB 1161) Chel. District attorneys. issuance of subpoenas

Existing law does not authorize a district attorney to issue subpoenas in connection with investigations of violations of state antitrust law.

This bill would authorize any district attorney who reasonably believes there may have been a violation of the statutory provisions regarding any prohibited restraint on competition, conspiracy against trade, and unfair trade practices, and provisions regarding nuisances and unfair competition to make specified investigations and issue subpoenas.

Ch. 543 (AB 1162) Chel. Restraints of trade.

Under existing law, any individual who is injured in his property by reason of anything forbidden or declared unlawful by the provisions relating to restraints of trade may sue therefor without respect to the amount in controversy and is entitled to recover 3 times the damages sustained by him as a result of such forbidden or unlawful acts.

This bill, in addition, would authorize the Attorney General or, under certain circumstances, a district attorney, as *parens patriae*, to sue for the total damages sustained and would establish various procedures and restrictions regarding such suits.

Ch. 544 (AB 1214) Dixon. Teachers' Retirement System, State: contributions.

Existing State Teachers' Retirement Law requires school districts which have discontinued district retirement plans to maintain an annuity reserve fund on behalf of the members of the discontinued plan and requires earnings to be credited on June 30th of each year to their account.

This bill would permit the earnings to be credited on such other dates as the annuity reserve fund board may determine. The bill would also permit any certificated employee of such a district to defer salary for deposit in the district's annuity reserve account.

Ch. 545 (AB 1403) Egeland. Work furlough.

Under existing law, the Cobey Work Furlough Law, county jail prisoners may be released on work furlough for employment or educational purposes.

This bill would state that employment includes care of children, including the daytime

care of children of the prisoner.

This bill also makes additional changes proposed by AB 1052 and SB 502, to be operative only if AB 1052 or SB 502, or both, and this bill are chaptered and become effective January 1, 1978, and this bill is chaptered after AB 1052 and SB 502.

Ch. 546 (AB 1446) Agnos. Real estate licensees.

Under existing law, a hearing to determine whether the license of a real estate licensee should be revoked, suspended, limited, or conditioned is initiated by filing an accusation, but only if the accusation is filed not later than 3 years from the occurrence of the ground for disciplinary action with which the licensee is charged.

This bill would change the time limitation for filing an accusation where the basis for disciplinary action involves fraud, misrepresentation, or a false promise to 1 year from the date of discovery by the aggrieved party or 3 years after the occurrence thereof, whichever is later, except in no case shall an accusation be filed later than 10 years from the occurrence of the alleged grounds.

Ch. 547 (AB 1500) Fenton. Public works: contracts.

(1) Existing law provides that before a contractor, to whom a public entity has awarded a contract involving an expenditure in excess of \$10,000, enters upon performance of the contract he shall file a payment bond as specified.

This bill would increase the amount of the contract to \$15,000 before a payment bond is required.

(2) Existing law authorizes a state department, as defined, to require a prospective bidder on any contract to complete and verify under oath a standard questionnaire and financial statement.

This bill would, in addition, authorize a department to require the completion by a prospective bidder of a questionnaire relating to the past safety record of the bidder. The form of such questionnaire would be approved by the Director of Industrial Relations.

(3) Existing law requires a department to adopt and apply a uniform system of rating bidders in respect to the size of the contracts upon which each bidder is qualified to bid. Existing law provides further that in no event shall a bidder be awarded a contract which, if awarded, would result in the bidder having under contract work in excess of that authorized by his prequalification rating.

This bill would specify that the above restrictions regarding the award of contracts apply only to those contracts for which prequalification is required. This bill would, in addition, provide that in determining whether an award of a contract would result in a bidder having under contract work in excess of that authorized by his prequalification rating, the department may use its estimated cost of such contract rather than the amount of the bidder's bid.

(4) Existing law provides that when the State Highway Commission has allocated funds for the construction, improvement or maintenance of any portion of a state highway within a city, the Department of Transportation may enter into a cooperative agreement with such city for the performance of such work by the department or such city or for the apportionment of the expense of such work between the department and the city.

Existing law further provides that the department may delegate to any such city any part of the department's powers and jurisdiction, except approval, with respect to any portion of any such state highway within such city and may withdraw such delegation.

This bill would make the above provisions applicable with respect to counties as well as cities.

(5) The bill would, further, direct the Department of Transportation to undertake a 3-year program of rating prospective bidders on the basis of their safety records, and would require an interim report to the Legislature on or before July 1, 1979, and a final report on or before January 1, 1981.

Ch. 548 (AB 1525) Perino. County clerks.

Existing law provides that in counties of specified populations the clerk of the board of supervisors may be appointed by the board of supervisors in the same manner as other county officers are appointed, rather than the county clerk being ex officio the clerk of the board.

This bill would add counties having a population over 290,000 and under 325,000 to the counties presently authorized to appoint their own clerks.

Ch. 549 (AB 1630) V. Thomas. Regional occupational centers: bookstores.

Presently, governing boards of a school district are neither expressly prohibited from, nor permitted to, establish a regional occupational center bookstore.

This bill would authorize the governing board of a school district to establish regional occupational center bookstores on district property and would prescribe permissible investments and expenditures from the operation of a regional occupational center bookstore. It would also require the audit of funds derived from the operation of a regional occupational center bookstore in the manner provided for the funds of a school district.

Ch. 550 (AB 1598) Antonovich. Child abuse and neglect.

Existing law requires the establishment and operation by an institution selected by the Director of Health of 2 child abuse pilot project centers, 1 to be located in southern California and 1 in northern California, providing specified services. In this regard the director is required to submit a report to the Legislature on or before January 1, 1978. The law appropriates \$200,000 to the Director of Health for the purposes enumerated in the law, but provides that the authorization for the pilot project will remain in effect only until July 1, 1978.

This bill would (1) extend the date for submission of the report to January 1, 1980; and (2) extend the effective period of the act until July 1, 1980.

Ch. 551 (AB 1735) Imbrecht. Judges: service after retirement.

Under the existing Constitution, judges who are retired may be assigned, with their consent, to serve on any court. Also, under existing statutory law, judges of courts of record are eligible to retire for service at age 60, or above, depending on length of service and may, under specified circumstances, elect to leave their accumulated contributions in the fund and receive deferred retirement benefits.

This bill would provide that a judge who has been defeated in an election for his office and who, before his term of office expires, elects to receive deferred retirement benefits shall not be deemed to be a retired judge within the meaning of the above constitutional provision.

Ch. 552 (AB 1751) Chel. Bank and corporation taxes.

(1) Existing bank and corporation tax law provides that a corporation which ceases business will pay a tax for the year of cessation on 2 income years which may involve 2 minimum taxes and will receive a credit for any tax paid in the year it commenced to do business.

This bill would provide for the assessment of only one minimum tax and would allow no credit for tax for the year of commencement. Such credit would be allowed only on dissolution or withdrawal.

(2) Under existing bank and corporation tax law, corporations which dissolve or withdraw pay a tax for the year of dissolution or withdrawal on 2 income years. A credit is allowed for any tax paid in the year of commencement.

This bill would provide that such corporations would pay a tax based upon only 1 income year and only if such year had not been used as a measure of tax for any other period. A refund would be allowed to the extent the tax paid in the year of commencement exceeded the minimum tax.

(3) Under existing bank and corporation tax law, a corporation might be able to avoid a measured tax on a period where it was unclear whether or not they had ceased business.

This bill would eliminate this possibility.

(4) Under existing bank and corporation tax law, a suspended corporation can revive, dissolve, and claim a credit for its first-year tax at any time.

This bill would prohibit such credit for any organization which has been suspended for a period of 4 continuous years beginning on or after January 1, 1975.

(5) The bill would take effect immediately as a tax levy.

Ch. 553 (AB 1757) McAlister. Schoolbuses: use of flashing lights.

Existing law prohibits the operation of the flashing red signal lamps required on a schoolbus at an intersection or place where traffic is controlled by a traffic officer or official traffic signal.

This bill would instead prohibit the operation of such lamps at any place where traffic is controlled by a traffic officer or official traffic control signal.

Ch. 554 (AB 1794) Hart. Community college facilities: Field Act.

Under existing law, community colleges are generally precluded from using facilities after June 30, 1975, which do not conform to structural standards prescribed pursuant to the so-called Field Act. An extension for the continued use of nonconforming facilities may, under certain conditions, be granted by the State Allocation Board, but authorization for such use may not extend beyond the date of completion of replacement facilities or June 30, 1977, whichever occurs earlier.

This bill contains legislative findings regarding unique architectural problems concerning site development for the construction of replacement facilities to house the marine technology program maintained by the Santa Barbara Community College District. The bill authorizes the State Allocation Board, after having made certain determinations regarding the design and construction of replacement facilities, to authorize the district to continue to use leased facilities for its marine technology program until the completion of permanent replacement facilities, or until September 1, 1978, whichever occurs first.

The bill would take effect immediately as an urgency statute.

Ch. 555 (AB 1692) M. Waters. Political Reform Act of 1974: enforcement.

(1) Existing law provides, with respect to provisions of the law relating to the liability of persons filing an original statement or report after any deadline established pursuant to the Political Reform Act of 1974, that such liability need not be enforced by the filing officer if on an impartial basis he determines that the late filing was not willful, and that enforcement of the liability will not further the purposes of the act, except that no liability shall be waived if a statement or report is not filed within 5 days after the filing officer has sent specific written notice of the filing requirement.

This bill would revise such provisions to provide that no liability shall be waived if a statement or report is not filed within 10 days, instead of 5, after the filing officer has sent specific written notice of the filing requirement except with respect to the second preelection campaign statement which would remain 5 days.

(2) Existing law provides that a person who files a copy of a statement or report after any deadline imposed by the Political Reform Act of 1974 shall, in addition to other applicable penalties or remedies, be liable in the amount of \$10 per day, starting 5 days after the officer has sent specific notice of the filing requirement and until the statement is filed.

This bill would revise such provisions to require that the specific notice of the filing requirement be written and, except in the case of the second preelection campaign statement, impose the liability starting 10 days after notice, rather than 5.

(3) This bill declares that the act is in furtherance of the purposes of the Political Reform Act of 1974.

Ch. 556 (AB 1710) Fenton. Election petitions.

(1) Under existing law initiative, referendum, and recall petitions relating to local or state matters, as the case may be, are required to be preserved by the election officials for a specified period unless they are in evidence in some action or proceeding then pending or unless they have received a written request from the Attorney General, the Secretary of State, a district attorney, a grand jury, or the governing body of a county, city and county, or district, including a school district, that the petition be preserved for use in a pending or ongoing investigation into election irregularities.

This bill would permit the Fair Political Practices Commission to also make a written request that such petitions be preserved. In addition, this bill would provide that such petitions must also be preserved for use in a pending or ongoing investigation into a violation of the Political Reform Act of 1974.

(2) Existing law provides that the above-described petitions and related memoranda

prepared by the county clerks must not be deemed to be public records and must not be open to inspection except by the public officer or public employees who have the duty of receiving, examining, or preserving such petitions or who are responsible for the preparation of such memoranda.

This bill would specify, in connection with such material that the Attorney General, the Secretary of State, the Fair Political Practices Commission, a district attorney, and a city attorney must be permitted to examine such material upon approval of the appropriate superior court.

Ch 557 (AB 1832) Goggin. Merger of redevelopment areas: San Bernardino.

Present law authorizes redevelopment plans adopted under the Community Redevelopment Law to provide for allocation to the redevelopment agency of a prescribed portion of the tax revenues derived from property in the redevelopment project area in order to finance redevelopment. Such allocation scheme is commonly known as the "tax-increment" method of financing redevelopment. Present law authorizes merger of contiguous and noncontiguous redevelopment project areas within the jurisdiction of the redevelopment agency of the City of Sacramento for the purpose of application of tax revenues allocated to the agency under the "tax-increment" method of financing.

This bill would similarly authorize merger of contiguous and noncontiguous redevelopment project areas within the jurisdiction of the City of San Bernardino, except that the purposes and rules governing use of such tax revenues would be different from those contained in the provisions authorizing merger of redevelopment project areas in the City of Sacramento.

The bill would be limited to redevelopment projects for which the final plan was adopted on or before July 1, 1965.

This bill would go into immediate effect as an urgency statute.

Ch 558 (AB 731) Chappie. Vehicles: noise limits.

Existing provisions of state law establish noise limits applicable to various types of motor vehicles. Certain of such limits are applicable to the operation of motor vehicles, and others are applicable to new motor vehicles at the time of their initial registration by the Department of Motor Vehicles. The Department of the California Highway Patrol is required to establish test procedures and instrumentation for the enforcement of these provisions of law.

With respect to state law prohibiting the initial registration of new motor vehicles exceeding specified noise limits, the following noise limits are prescribed for new motor vehicles with a gross vehicle weight rating (GVWR) of 6,000 pounds or more, based upon date of manufacture:

80 dbA	if manufactured after 1977 and before 1988.
70 dbA	if manufactured after 1987.

This bill would revise such limits, as follows:

80 dbA	if manufactured after 1977, if vehicle has a GVWR of 6,000 pounds or more, but not more than 8,500 pounds.
83 dbA	if manufactured after 1977 and before 1982, if vehicle has a GVWR of more than 8,500 pounds.
80 dbA	if manufactured after 1981 if vehicle has a GVWR of more than 8,500 pounds.

The bill also would impose a new noise limit of 88 dbA that would be applicable to the operation of motor vehicles, regardless of year of manufacture, that have a gross vehicle weight rating of more than 10,000 pounds and are equipped with an engine speed governor. The bill would specify the manner of testing such vehicles and would also authorize the Department of California Highway Patrol to take into consideration test procedures adopted by the United States Department of Transportation.

The bill would make various conforming and technical changes.

The bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code and would make no appropriation for a specified reason.

Ch. 559 (SB 1160) Vuich. Districts: revolving funds.

Existing law provides for the establishment of revolving funds for the payment of small bills by the governing boards of special districts. Existing law further requires that prior to withdrawing money from the county treasury to be placed in the revolving fund of a special district, the officer for whose use the fund is created must file a bond with the clerk of the board of supervisors.

This bill would require such a bond to be filed with the auditor.

Existing law specifies certain procedures to be followed if such a fund is discontinued.

This bill would change and clarify these procedures.

Ch. 560 (SB 590) D. Carpenter. Joint powers entities: audits.

Under present law, the public officer performing the functions of auditor or controller of a joint powers entity is required to make or contract for an annual audit of the entity.

This bill would relieve the officer of this responsibility in any case where an annual audit of the entity is otherwise done by any state or federal agency only as to such accounts and records so audited.

This bill would take effect immediately as an urgency statute.

Ch. 561 (AB 1333) Gualco. Parks: recreational community gardens.

Existing law defines "recreation center."

This bill would include in such definition "recreational community gardens."

Existing law provides that certain places may be included in the recreation element of a general plan.

This bill would add "recreational community gardens."

Existing law provides that a local agency may require the dedication of land or payment of fees for "park or recreational purposes" as a condition of approval of a subdivision map. This bill would provide that "recreational community gardens" as defined would be included as a "park or recreational purpose."

Ch. 562 (AB 1463) Gualco. Water: applications for permit to appropriate: hearings: charges and costs.

Existing law authorizes the State Water Resources Control Board, after a hearing, to grant, or refuse to grant, a permit to appropriate water, and to reject any application for such a permit. It requires the reporter's charges for taking testimony at such a hearing to be borne by the parties thereto and requires that one copy of the testimony taken at the hearing be furnished to the board at the cost of the parties.

This bill would eliminate the requirement that the reporter's charges for taking testimony at such a hearing be borne by the parties thereto and the requirement that one copy of the testimony taken at the hearing be furnished to the board at the costs of the parties.

Ch. 563 (SB 1159) Vuich. Community service district elections.

Existing law permits the formation of a community service district without an election if, among other things, all of the registered voters within the proposed district sign the petition.

This bill would require the formation without an election if 80% of the registered voters sign the petition and would further provide that if one or more protests are received, such protests would be reviewed by the board and the board would determine whether an election should be held.

Ch. 564 (AB 764) Kapiloff. Solid waste management: county plans.

Existing law provides that each county shall prepare a solid waste management plan subject to the approval of the plan by a majority of the cities containing a majority of the population in the incorporated area of the county.

This bill would provide that any amendment thereto shall be submitted to each city in the county and deemed approved by the city unless disapproved by the 90th day after submission and would require each amendment to be submitted to the State Solid Waste Management Board for approval as to its compliance with state policy.

Existing law requires that any new solid waste site approved by a city or county may not commence operations unless certain findings are made by the board.

This bill provides that no such site may be established unless those findings are made.

Existing law provides that any site is exempt from the above requirement if an environmental impact report notice of completion is filed by a certain date.

This bill would exempt a site only if there is an environmental impact report notice of determination filed by such date.

The bill would provide that the board may, by regulation, exempt some classifications of solid waste facilities if certain findings are made.

Existing law defines "transfer/processing station" as any facility utilized to receive, temporarily store, separate, convert, or otherwise process materials in solid wastes, or to transfer solid wastes directly from smaller to larger vehicles for transport

The bill would exclude from such definition any facility the principal function of which is to receive, store, convert, or otherwise process wastes which have already been separated for reuse and are not intended for disposal.

Ch. 565 (AB 1690) Dixon. Schools: certificated employees.

The law currently specifies the circumstances under which a school district may employ a certificated individual and classify such person as a "temporary" employee. In general, such classification is limited to employment for terms of not longer than 3 or 4 months, depending upon the type of assignment.

This bill would add to the circumstances under which a certificated individual could be classified as a "temporary" employee, cases in which a person was employed to serve in a limited assignment: supervising athletic activities of pupils. The bill would not limit such classification to employment for terms of any specified length.

Ch. 566 (AB 600) Eane. California Insurance Guarantee Association: assessments

Under existing law, the California Insurance Guarantee Association is required to collect premium payments from its member insurers sufficient to discharge obligations incurred by it in paying and adjusting the claims of an insolvent insurer. The cost of discharging such obligations is allocated to categories consisting of workers' compensation, automobile, and other claims. Separate premium payments are required for each category and the premiums so collected are used to pay the claims payment and adjustment costs allocated to such category. With respect to the category of claims other than workers' compensation and automobile claims, the association is authorized to establish separate categories for different classes of insurance.

This bill would delete the authority of the association to establish separate categories within the category of claims other than workers' compensation and automobile claims.

Ch. 567 (AB 670) Papan. Fire protection. automatic sprinkler systems

Under existing law the State Fire Marshal, with the advice of the State Board of Fire Services, is required to adopt such regulations and standards as he determines necessary to control the quality and installation of automatic fire sprinkler systems, fire alarm systems, and fire alarm devices and no person may market, distribute, offer for sale, or sell such systems or devices unless the system or device has been approved and listed by the State Fire Marshal. Violation of these provisions is a misdemeanor.

This bill would delete automatic fire sprinkler systems from such State Fire Marshal approval and listing requirements. The bill would also delete the misdemeanor provision.

Ch. 568 (AB 1275) Knox. Settlement of suits.

Under existing law, in tort actions involving multiple defendants, the plaintiff may by agreement with some but not all of the alleged defendant tortfeasors, place limitations on the financial responsibility of the agreeing defendants, the amount of which is variable and dependent upon the recovery against the nonagreeing defendants. In general, such agreements are not required to be revealed to the court, and are not revealed to the jury in a subsequent trial between the plaintiff and defendants.

This bill would require that parties making such agreements must inform the court of such agreements. It would require that the court, upon motion, disclose to the jury the essential nature and possible bias that may arise from such an agreement, where a defendant party to the agreement is a witness

Ch 569 (AB 1602) Suitt. California Avocado Commission.

The existing law permits marketing orders, issued under the California Marketing Act of 1937, to contain provisions for the establishment of prescribed plans for advertising and sales promotion of various agricultural commodities, including avocados.

The bill would establish the California Avocado Commission, with prescribed membership, and prescribe its powers, duties, and responsibilities. The commission would be authorized to carry on programs of advertising, promotion, and marketing research relating to the sale of avocados. This bill would authorize the commission to levy an assessment on producers of avocados, as prescribed, for purposes of carrying out such provisions.

The provisions of this bill, except as necessary to conduct such vote, shall not become operative until the producers of avocados, by referendum, vote in favor of the provisions of the bill, as prescribed. The bill would also provide for the suspension and termination of the operation of its provisions and for winding up of the operations of the commission.

The bill would also provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be an appropriation made by this bill for a specified reason.

Ch 570 (AB 1594) W. Thomas. Education

Under existing law, the Superintendent of Public Instruction is required to prepare and submit to the Legislature at specified times a report concerning public school employees and a report concerning the use of apportionments for the payment of salaries of classroom teachers.

This bill would change the dates for submitting these reports to the Legislature.

Existing law prescribes a method for computing and reporting the average daily attendance in schools and classes maintained by school districts, the county superintendent of schools and in other specified classes.

This bill would specify that the attendance in schools maintained by the county superintendent of schools and in the other specified classes shall be reported in the same manner as the attendance is reported for school districts, and would revise the method of computing the attendance in schools and classes maintained by the county superintendent of schools and in the other specified classes. This bill would also prescribe an interim procedure for reporting attendance in order to effect the transition to the attendance reporting period required by this act.

Existing law specifies that the county superintendent of schools and any school district under whose supervision work experience education, or occupational training classes held in the community, are provided, shall be considered the employer of persons receiving training for purposes of workers' compensation insurance.

This bill would additionally specify that any school administered by the State Department of Education under whose supervision work, experience education or occupational training classes held in the community, are provided, shall be considered the employer of persons receiving training for purposes of workers' compensation insurance.

Existing statutes authorize school districts to apply for, and, upon specified approval, to establish and operate, demonstration programs in intensive instruction in reading and mathematics for certain low-achieving pupils in grades 7, 8, or 9. Such statutes will cease to have force and effect after September 1, 1978.

This bill would extend such termination date to September 1, 1981.

Ch. 571 (AB 420) Hughes California Museum of Afro-American History and Culture.

Under existing law, the California Museum of Science and Industry is authorized, among other things, to build, contract, and maintain and operate a stadium or any arena, pavilion, or other building to be used for designated purposes and to establish a space age museum.

This bill would establish, in the California Museum of Science and Industry, the California Museum of Afro-American History and Culture, which is to be governed by an advisory board with prescribed membership and staff, including the Senator and Assemblyman representing the legislative district in which the California Museum of Science and Industry is located. It would require the California Museum of Afro-American History and Culture to preserve, conduct, and display samples of Afro-American

contributions to the arts, science, religion, education, literature, entertainment, politics, sports, and history of this state and the nation.

Ch. 572 (SB 676) Rains. Prisoner education.

Existing law authorizes the county superintendents of Riverside and Marin Counties until January 1, 1979, to establish and maintain classes or schools for prisoners in any county jail, or any county industrial farm or county or joint county road camp for the purposes of providing instruction in certain specified subjects. In addition, state law provides for state financial support for each unit of average daily attendance in such specified schools and classes.

This bill would extend the application of such provisions to Santa Barbara County.

Ch. 573 (AB 1284) Egeland. State employment: discrimination in.

Presently, the State Civil Service Act prohibits discrimination on the basis of sex, race, religious creed, color, national origin, ancestry, or marital status.

This bill would add physical handicap, as defined, as a prohibited basis of discrimination, unless it can be shown that the particular handicap is job related.

Ch. 574 (AB 533) Berman. Crimes: diversion.

Existing state law provides pretrial diversion programs for certain accused drug offenders, and postconviction treatment programs for persons driving under the influence of liquor or drugs.

This bill would state that the laws do not preempt other pretrial or precomplaint diversion programs or posttrial diversion programs, except as specified.

The bill would make certain procedural requirements respecting diversion programs.

The provisions would be repealed on January 1, 1980.

Existing law makes various limitations respecting inquiries by employers about arrests or detentions.

This bill would apply such limitations to inquiries about specified pretrial and posttrial diversion programs.

The bill would take effect immediately as an urgency statute.

Ch. 575 (AB 1122) Knox. Variable interest rate loans.

Existing law provides that no increase in interest provided for in any provision for a variable interest rate contained in a security document shall be valid unless the document contains certain provisions, including a provision that the change in the interest rate shall not exceed $\frac{1}{4}$ of 1% in any semiannual period and a provision that the change shall not occur more frequently than once during any semiannual period, as defined.

This bill would, as respects such variable interest rate security documents, permit the lender to change the interest rate not more than once every 5-year period. This bill would provide that, except for the provisions limiting rate changes to $\frac{1}{4}$ of 1% and to once each semiannual period, the provisions governing the validity of variable interest rate provisions shall apply to documents containing the 5-year provision.

Ch. 576 (SB 379) Johnson. Land surveyors: corner records.

Existing law provides that a record of survey is not required of certain specified surveys.

This bill would include among the surveys, where a record of survey is not required, one which is merely a retracement of lines shown on a subdivision or parcel map of record, provided certain conditions exist.

Existing law exempts monuments set by the State Division of Highways to mark state highway boundaries from a requirement that monuments set by a licensed land surveyor or registered civil engineer be tagged with the certificate number of the surveyor or civil engineer.

This bill would delete such exemption and require that if tagged by a public agency the name of the agency and the political subdivision it serves be indicated on the tag.

Existing law requires a licensed land surveyor or registered civil engineer to file a written record of corner establishment or restoration, shown as a "corner record," for every public land survey corner and accessory to such corner which is used as a control in any survey by such person and permits such person to file such a corner record for any property corner, property controlling corner, reference monument, or accessory to a property corner.

The bill would permit the filing of such a corner record for a property corner which is found, set, reset, or used as a control in any survey by such person.

Existing law states that the charge for filing the corner record is the same as that provided for the recording of a deed.

This bill would instead provide that a charge for filing may be collected by the county surveyor not to exceed the amount required for the recording of a deed.

Ch. 577 (AB 1845) Brown. Home furnishings.

Under existing law, the Home Furnishings Act requires retail dealers, custom upholsterers, manufacturers, bedding renovators, bedding manufacturers, supply dealers, and sterilizers, as those terms are defined, to be licensed to engage in a business regulated by such act. The act also imposes a fee for the issuance and for the renewal of each license granted thereunder.

This bill would increase the minimum and maximum amount between which such fees may be fixed.

Ch. 578 (AB 1209) Egeland. Venereal disease instruction.

Existing law requires the adopted course of study to provide instruction at the appropriate elementary and secondary grade levels and subject areas in, among other things, health, including the effects of alcohol, narcotics, drugs, and tobacco upon the human body.

This bill would require health education instruction to also include venereal disease.

This bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor any appropriation made by this act, for a specified reason.

This bill would also appropriate \$150,000 † to the Department of Education for venereal disease education workshops and in-service training.

This bill would incorporate additional changes proposed by AB 619 to be effective only if this bill and AB 619 are both enacted.

Ch. 579 (SB 833) Song. Codes: maintenance.

Existing law directs the Legislative Counsel to advise the Legislature from time to time as to legislation necessary to maintain the codes and legislation necessary to codify such statutes as are enacted from time to time subsequent to the enactment of the codes.

This bill would restate existing provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature for consideration during 1977, and would not make any substantive change in the law.

Ch. 580 (AB 970) Chacon. Jurors: San Diego County.

Under existing law, trial jurors in San Diego County receive \$5 for each day's attendance and \$0.15 for each mile necessarily traveled one way in attending court as a juror.

This bill would authorize the board of supervisors to establish the daily rate to be paid trial jurors and the amount to be allowed for reimbursement of expenses, including transportation necessarily incurred in attending court, but would provide that such daily rate shall not be less than \$5 per day and that the amount allowed for expenses shall not be less than an amount equal to \$0.15 per mile one way.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 581 (SB 358) Nejedly. Emergency Services Act: drought.

Existing law lists specific conditions which, under certain circumstances, constitute a "state of emergency" and a "local emergency," as defined, for purposes of the California Emergency Services Act.

This bill would add drought to the list of such conditions.

Ch. 582 (AB 1540) M. Waters. Security for demand and time deposits.

Under present law surety bonds may be posted as collateral by banks and savings and loan associations for demand deposits of state funds.

This bill would broaden this provision to permit such bonds to secure time deposits

† Appropriation reduced to \$70,000 by action of the Governor.

as well as demand deposits and make other related changes.

Ch. 583 (SB 528) Stiern. County Employees Retirement Law: benefits.

Existing County Employees Retirement Law of 1937 permits counties to elect to be subject to various service retirement formulas.

This bill would permit counties who have elected a specified service retirement formula to also elect to include persons who retired prior to that election and require employer or member contribution increases or other such adjustments to be made to fund the increased benefits if such election is made.

The bill would take effect immediately as an urgency statute.

Ch. 584 (AB 1406) Cordova. Municipal courts: Orange County.

Existing law provides that there shall be 5 judges of the Orange County Harbor Municipal Court.

This bill would increase the number of judges from 5 to 6 in the Orange County Harbor Municipal Court.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local governmental entity or entities which desire authority to act pursuant to the act.

Ch. 585 (SB 523) P. Carpenter. Marriage without license.

Existing law permits a clergyman to solemnize a marriage between persons living together as man and wife without the necessity of obtaining a health certificate.

This bill would additionally authorize all other persons authorized to perform marriages under existing law to solemnize such marriages.

Ch. 586 (AB 950) Fenton. Municipal courts: Los Angeles County.

Existing law provides for the compensation of municipal court personnel in Los Angeles County.

This bill would increase the compensation of various personnel.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity which desired authority to act pursuant to the act.

Ch. 587 (AB 697) Duffy. Psychiatric technicians: qualifications.

Existing law requires an applicant for a psychiatric technician's license to have successfully completed a prescribed course of study and training of at least 12 months in length in an accredited school.

This bill would in the alternative permit an applicant to successfully complete a course of study and training which, together with previously acquired training or experience, is determined by an accredited school to be equivalent in academic credits to its regular program for psychiatric technician training.

This bill would make conforming changes and state legislative intent.

This bill would take effect immediately as an urgency statute.

This bill would also appropriate \$175,000 for specified purposes.

Ch. 588 (AB 976) Rosenthal. Safety glazing materials: hazardous locations in residential, commercial, and public buildings.

Under existing statutory provisions, it is unlawful to knowingly install any glazing material other than safety glazing material in a hazardous location in a residential, commercial, or public building.

This bill would revise the definition of the term "hazardous location" in such statutory provisions.

Ch. 589 (AB 1767) W. Thomas. Municipal courts: Kern County.

Existing law specifies the number of and compensation for municipal court personnel in the West Kern and East Kern Municipal Courts.

This bill would change the composition of, and increase the compensation for, specified personnel in the West Kern and East Kern Municipal Courts.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local governmental entity or entities which desire authority to act pursuant to the act.

Ch. 590 (SB 98) Garcia. Physically handicapped persons' parking

(1) Existing law provides that a state agency may prescribe the terms and conditions of parking upon state property under the agency's jurisdiction or control. The Department of General Services may prescribe the terms and conditions of parking facilities constructed and maintained by the department. The State Architect is required to adopt by regulation standards for making buildings, structures, sidewalks, curbs and related facilities which are constructed by the use of state or local government funds, accessible to and usable by the physically handicapped.

This bill would require any parking facility under the jurisdiction or control of a state agency, which is available to private persons who desire to conduct business with a state agency, to reserve parking spaces as specified for the use of physically handicapped persons. The requirement would not apply to any facility subject to the regulations adopted by the State Architect.

The bill would also provide that if a state agency has no such parking facility, the state agency shall request the local authority having jurisdiction over adjacent streets to provide parking for physically handicapped persons.

(2) Existing law provides that it is an infraction for any person to park any vehicle in a space designated for physically handicapped persons if the space is reserved as specified, unless the vehicle displays special license plates or placards which are available only to such persons. The punishment upon a first conviction is a fine not exceeding \$50.

This bill would provide that the punishment upon the first conviction for such infraction shall be a fine not less than \$25.

Ch. 591 (SB 152) Garcia. Jurors' deficiencies in sight, auditory functions.

Under existing law, a person is competent to act as a juror if, in addition to other requirements, he is in possession of his natural faculties. Existing law also provides for the selection and listing of jurors from persons competent to serve as jurors, who are in possession of their natural faculties and are not infirm or decrepit.

This bill would specify that no person shall be deemed incompetent to act as a juror solely because of the loss of sight in any degree, and would provide that a person shall not be deemed incompetent, infirm, or decrepit, and shall not be excluded from the list of prospective jurors, solely because of the loss of sight in any degree.

It would also add to existing grounds for challenges for cause the existence of a defect in the visual or auditory functions of the body which satisfies the court that the challenged person is incapable of performing the duties of a juror in the particular action without prejudice to the substantial rights of the challenging party.

Ch. 592 (SB 250) Presley. Causing death or bodily injury while driving under the influence: penalties.

(1) Existing law (Sections 23101 and 23103, Vehicle Code) makes it unlawful for any person, while under the influence of intoxicating liquor or any drug, or under the combined influence of intoxicating liquor and any drug, to drive a vehicle upon a highway or upon other than a highway and when so driving do any act forbidden by law, or neglect any duty imposed by law, which act or neglect proximately causes bodily injury to any person other than himself. The punishment prescribed is imprisonment in the state prison, or in the county jail for not less than 90 days nor more than one year, and payment of a fine of not less than \$250 nor more than \$5,000.

Existing law (Sections 23102 and 23105, Vehicle Code) also makes it unlawful for any person who is under the influence of intoxicating liquor or any drug, or under the combined influence of intoxicating liquor and any drug, to drive a vehicle upon a highway or upon other than a highway, and for any person who is addicted to the use of any drug to drive a vehicle upon any highway. The punishment prescribed is as follows:

(a) First offense: imprisonment in county jail for not less than 48 hours nor more than 6 months or fine of not less than \$250 nor more than \$500, or both.

(b) Second or subsequent offense under Section 23102 or 23105 within 5 years of a prior conviction of driving while under the influence: imprisonment in county jail for not less than 48 hours nor more than 1 year and fine of not less than \$250 nor more than \$1,000. Existing law also requires that, if any such person is granted probation, it be a condition of probation that such person be confined in jail for at least 48 hours but not

more than 1 year and pay a fine of at least \$250 but not more than \$1,000. Existing law also specifies that in no event does the court have the power to absolve such a person from spending at least such minimum time in confinement and paying at least such minimum fine except in unusual cases where the interests of justice demand an exception.

This bill would require, if any person is convicted of an offense under Section 23101 or 23106 within 5 years of a prior conviction of a violation of Section 23101 or 23106, and is granted probation, that a condition of probation be that such person be confined in jail for at least 90 days but not more than 1 year, and pay at least the minimum fine prescribed by law. The bill would require, if any person is convicted of an offense under Section 23101 or 23106 within 5 years of a prior conviction of Section 23102 or 23105, and is granted probation, that a condition of probation be that such person be confined in jail for at least 5 days but not more than 1 year and pay at least such minimum fine. The bill would prohibit the court from absolving any person from the minimum term of imprisonment and fine except in unusual cases where the interests of justice demand an exception.

The bill would also do the following with respect to convictions under Sections 23102 and 23105:

(a) First offense under Section 23102 or 23105 within 5 years of a prior conviction under Section 23101 or 23106: imprisonment in county jail for not less than 5 days nor more than 1 year and fine of not less than \$250 nor more than \$1,000.

(b) Make related, conforming changes.

(2) One provision of existing law specifies "death or bodily injury," but the others specify only "bodily injury."

This bill would conform the provisions so that they all specify "death or bodily injury."

(3) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be an appropriation made by the bill for a specified reason.

Ch. 593 (SB 325) Presley. Subpoenaed public employees.

(1) Existing law establishes a procedure whereby specified public employees, if subpoenaed as a witness in a civil action or proceeding, are to receive salary or other compensation and actual necessary and reasonable traveling expenses from the employing public entity for the time spent and expense incurred in complying with such subpoena and any subpoena issued for the taking of depositions. The party at whose request a subpoena is issued is required to reimburse the public entity the full cost incurred by such public entity in complying with such provisions and make a deposit with the clerk of the court or tribunal before such public employees shall be ordered to return for subsequent proceedings.

This bill would make such provisions applicable to peace officer members of the State Fire Marshal's Office.

(2) Existing law makes it a misdemeanor for a person to pay or offer to pay compensation to specified public employees for services as a witness in a manner other than provided by law and for such public employees to ask or receive any payment except as provided by law.

This bill would make such provisions applicable to peace officer members of the State Fire Marshal's Office.

(3) Existing law requires the party at whose request the subpoena is issued to reimburse the public entity for the full cost to the entity of reimbursing the officer.

This bill would instead require the party to reimburse the public entity for the cost of paying the officer's salary or other compensation and traveling expenses.

This bill would make additional changes in Sections 68097, 68097.1, 68097.2, 68097.5, 68097.6, 68097.7, 68097.9, and 68097.10 of the Government Code proposed by AB 695, to be operative only if this bill and AB 695 are both chaptered and this bill is chaptered after AB 695.

This bill would provide that notwithstanding specified provisions of the law, neither appropriation nor reimbursement is made to any local agency for specified reasons.

Ch. 594 (SB 483) Sieroty Elections: consolidation.

Existing law authorizes a special election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly to be conducted within 180 days following the Governor's proclamation in order to consolidate such election with the next regularly scheduled statewide election.

This bill would authorize the consolidation of such special elections within such time period with the next regularly scheduled local election occurring wholly or partially within the same territory if the voters at the local election comprise at least 50 percent of the voters eligible to vote on the vacancy, as well as with the next such statewide election.

Existing law does not prohibit the conduct of such a special election or a special primary election on the day after a state holiday.

This bill would impose such a prohibition.

Ch. 595 (SB 601) Beverly. Rendering emergency care. immunity.

Existing law exempts dentists, doctors, registered nurses, paramedics, rescue teams, and specified members of search and rescue teams from civil liability resulting from any act or omission in the rendering of emergency care at the scene of an emergency.

This bill, in addition, would exempt a person who in good faith renders emergency cardiopulmonary resuscitation at the scene of an emergency from civil liability for any damages resulting from an act or omission in rendering the emergency care, if the person has satisfactorily completed a basic cardiopulmonary resuscitation course which complies with the standards adopted by the American Heart Association or the American Red Cross for cardiopulmonary resuscitation and emergency cardiac care. It would not exempt such person from damages resulting from conduct constituting gross negligence or if a person renders such emergency care to an individual with the expectation of receiving compensation.

The bill also would provide an exemption from damages for public and private entities which sponsor, finance or supervise cardiopulmonary resuscitation training programs and for certified instructors in cardiopulmonary resuscitation.

Ch. 595 (SB 648) Gregorio Blood alcohol tests: destruction of ampoules.

Existing decisional law requires that material evidence of breath alcohol analysis tests used to determine the concentration of ethyl alcohol in the blood be preserved.

This bill would authorize a law enforcement agency to destroy any ampoules and their contents employed in breath alcohol analysis tests one year after the date of collection of the breath sample.

Ch. 597 (SB 693) Russell. County employees retirement law. benefits

The existing County Employees Retirement Law of 1937 contains numerous optional benefits which can be adopted by county boards of supervisors.

This bill would permit boards of supervisors and district governing boards to adopt ordinances or resolutions terminating the applicability of such provisions as to employees whose services commence after specified future dates.

Existing law permits retirement boards in systems established pursuant to the County Employees Retirement Law of 1937 to compute member rate of normal contributions in a prescribed manner and provides that the portion of liability not provided by the normal contribution rate shall be amortized over a period of 30 years.

This bill would provide that the portion of liability not provided by the normal contribution rate shall be amortized over a period not to exceed 30 years and states that such is declaratory of existing law.

The bill would take effect immediately as an urgency statute.

Ch. 598 (SB 1125) Song. Consumer warranties.

Under existing law, where the retail sale of any "soft goods," which term includes any pliable product substantially composed of woven material, natural or synthetic yarn or fiber, textile, or similar product, is accompanied by an express warranty and such items do not conform with the terms of the express warranty, the buyer may return the goods within 30 days or a longer period if specified in the warranty.

This bill would exclude carpeting or tires from the definition of "soft goods" and would

permit, in effect, tires and carpeting to be considered as "consumer goods" for purposes of the existing provisions relating to consumer warranty protection.

Ch. 599 (SB 1154) Presley. Counties.

Existing law requires county boards of supervisors to supervise official conduct of all county officers.

This bill would provide that such duties shall not affect and the board of supervisors shall not obstruct the investigative and prosecutorial functions of the sheriff and district attorney of a county, but that the bill shall not be construed to limit budgetary authority of the board of supervisors over the district attorney or sheriff.

Ch. 600 (SB 1190) D. Carpenter. Orange County Board of Supervisors: powers: construction of theater.

Existing law authorizes the board of supervisors of counties with a population in excess of one million to provide by contract for the performance of various types of cultural events, including, among other things, operas, symphonies, band concerts, other instrumental concerts, choral concerts, ballet, and readings.

This bill would authorize the Board of Supervisors of Orange County to contract with a nonprofit corporation for the expenditure of county funds to aid in the construction of a theater to be used to perform the above cultural events.

The bill would take effect immediately as an urgency statute.

Ch. 601 (SB 749) Holden. Public Employees' Retirement System: contributions.

Existing Public Employees' Retirement Law permits most contracting agencies to make contributions in excess of a member's normal contribution to provide additional benefits for such employees.

This bill would permit all contracting agencies on and after July 1, 1978, to reduce a member's contributions by an amount which does not exceed one-half of the normal member contributions.

Ch. 602 (SB 521) Foran. Superior court employees: San Francisco.

Present law sets forth a salary schedule for specified superior court employees in the City and County of San Francisco.

This bill would set forth a new schedule increasing the salaries of such employees.

This bill would also state that there are no state-mandated local costs requiring reimbursement to local agencies pursuant to Section 2231 of the Revenue and Taxation Code for a specified reason.

Ch. 603 (SB 1018) Alquist. Metric system conversion.

Existing federal law provides for a United States Metric Board to coordinate the voluntary conversion to, and increased use of, the metric system. Existing state law does not provide for a similar board.

This bill would create the California Metric Conversion Council in the Department of Food and Agriculture and would specify the membership and duties of such council. The bill would declare that the intent of the act is to provide an orderly conversion to the metric system in California.

The bill would provide that the act is to be operative until January 1, 1985.

The bill would appropriate \$50,000 from the General Fund to the council to carry out the purposes of the act.

Ch. 604 (AB 1079) Rosenthal. County Short-Doyle plans.

(1) Under present law, a county board of supervisors may provide that the drug abuse portion of the county Short-Doyle plan shall be reviewed by the advisory committee on drug abuse in lieu of review by the local mental health advisory board and that certain procedural aspects of the county's mental health planning process be reviewed and approved by such board.

This bill would permit a board of supervisors to authorize the advisory committee on drug abuse instead of the local mental health advisory board to make such review and approval.

(2) Under present law, when the county Short-Doyle plan is submitted to the state it must be accompanied by a document indicating review by the local mental health advisory board.

This bill would provide that when the plan is reviewed by the advisory committee on drug abuse instead of the local mental health advisory board, the document indicating review shall so specify.

Ch. 605 (AB 1485) Dannemeyer. Employment agencies.

Existing law authorizes the Bureau of Employment Agencies, when issuing a license, to restrict the type of employment agency business which may be conducted under the license to one or more specified categories, namely to a general category, a babysitting category, a domestic category, a modeling category, and a farm labor category. The general category authorizes the licensee to engage in the business of finding all types of employment for others.

This bill would redefine a general category to state that it authorizes the licensee to engage in the business of finding all types of employment for others and to charge a fee to either the applicant or the employer or to both the applicant and the employer for such service.

The bill would also add a new category entitled employer retained and would define the category as authorizing the licensee to engage in the business of finding all types of employment for others, except domestic employment, which charges fees exclusively to employers for such service.

The bill would make related changes.

Existing law regulates employment agencies in respect to contracts for employment, the posting of schedule of fees to be charged, the acceptance of fees from applicants and sending applicants to an employer pursuant to orders for employment.

This bill would exempt employer retained employment agencies from such provisions.

Ch. 606 (AB 676) Hughes. Schools: certificated employees, layoff and reassignment.

Existing law permits, under specified conditions, the layoff of permanent and probationary certificated employees of a school district. In addition, various rights are provided to the affected employees.

This bill would make such statutory provisions inapplicable in a school district having an average daily attendance of 400,000 or more to probationary certificated employees covered by a collective-bargaining agreement which contains provisions for the layoff and reassignment of such employees.

This bill also would include the reassignment of public school employees and the layoff of probationary certificated employees in a school district having an average daily attendance of 400,000 or more within the scope of representation under the law authorizing public school employers to meet and negotiate with the exclusive representative selected by employees in an appropriate negotiating unit, for the purpose of executing binding agreements.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason.

This bill would take effect immediately as an urgency statute

Ch. 607 (AB 285) Fazio. Sales and use taxes: vehicle transfers and resale certificates.

Existing State Sales and Use Tax Law provides that it is a misdemeanor for any person to give a resale certificate for property which he knows at the time of purchase is not to be sold by him in the regular course of business for the purpose of evading payment to the seller of the sales tax which otherwise would be imposed on such transaction.

This bill would specify that, in addition, such purchaser, in such circumstances, is liable for the amount of sales tax that would be due if he had not given the resale certificate.

Under existing State Sales and Use Tax Law, the purchaser of a motor vehicle which is purchased from other than certain licensed dealers is liable for a use tax on such vehicle, which is required to be paid to the Department of Motor Vehicles acting on behalf of the State Board of Equalization at the time of making an application for registration or a change of registration. If such purchaser does not make a timely application, but is subject to penalty because of such delinquency in effecting registration or a change of registration, such purchaser becomes liable for a specified use tax penalty,

but not interest.

This bill would make such purchaser liable for interest and penalties if such purchaser does not make such application, does not pay the use tax, or files a return with the State Board of Equalization indicating such tax is due, which is not filed timely.

Existing State Sales and Use Tax Law provides that a purchaser is liable for a use tax if such purchaser certified to the seller that the purchased property would be used in an exempt manner and thereafter uses the property in some other manner or for some other purpose.

This bill would specify that the certificate provided by such purchaser relieves the seller from liability for the sales tax only if such certificate is taken in good faith and defines use for such purposes.

Ch. 608 (AB 49) Lanterman. Validations.

This bill is the Third Validating Act of 1977 and validates the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies and entities.

Ch. 609 (AB 383) Craven. Officers.

Existing law authorizes the board of supervisors of a general law county with a population above a specified amount to submit to the electors, at a general or special election, the question of whether the elective office of county auditor should be replaced by the appointive office of county director of finance.

This bill would remove the authorization to hold a special election for such purposes and would permit the board of supervisors to submit such question to the electors only once in an 11-month period.

Existing law authorizes a city council to submit to the electors, at a general or special election, the question of whether any elective officers, except councilmen, should be appointed by the city council.

This bill would provide that the city council may only submit such question to the electors once in an 11-month period.

Ch. 610 (SB 1123) Zenovich. Housing finance.

Under existing law, the location and section numbering of various code provisions in a division of the Health and Safety Code relating to housing and home finance directly conflict with the location and section numbering of provisions relating to pollution.

This bill would eliminate such conflict by repealing and renumbering without substantive change the division of the Health and Safety Code relating to housing and home finance.

The bill would also correct technical errors.

Ch. 611 (SB 804) Dunlap. Public agencies: common stock proxies.

Existing law contains no express provision requiring the state, including the University of California, and local agencies, when returning common stock proxies to corporations, to vote each proxy that is returned to the corporation.

This bill would make such requirement with respect to the state, including the University of California, and local agencies, as defined. It would, however, permit a state or local agency to abstain on a corporate or shareholder proposal and notify the corporation in writing of the agency's desire to so abstain.

Ch. 612 (SB 657) Dunlap. Property acquisition.

Present law provides various duties of the State Public Works Board under the Property Acquisition Law in connection with the acquisition of interests in real property by the state.

This bill would specify, in addition, that notwithstanding any other provisions of law, all property to be acquired by or for any state agency, other than the Department of Transportation, the Department of Water Resources, the State Reclamation Board, the Department of Fish and Game, the Wildlife Conservation Board, the Public Employees' Retirement System and certain specified acquisitions made for the State Lands Commission, shall be acquired by the State Public Works Board in accordance with the provisions of the Property Acquisition Law.

Ch. 613 (AB 48) Lanterman. Validations.

This bill is the Second Validating Act of 1977 and validates the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies and entities.

This bill is to take effect immediately as an urgency statute.

Ch. 614 (AB 148) Chappie. Jurors: Placer, Nevada and Sierra Counties.

Under existing law, grand jurors in Nevada County and grand and trial jurors in Placer County receive \$0.10 for each mile actually traveled in the performance of their duties. In Sierra County, grand and trial jurors receive \$0.35 for each mile actually traveled one way in the performance of their duties.

This bill would change the present rate to \$0.15 per mile for each mile actually traveled by jurors in Placer, Nevada and Sierra Counties.

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor any appropriation made by this act for specified reasons.

Ch. 615 (AB 315) Thurman. California Highway Patrol: classification of members

Existing law provides that the California Highway Patrol in the Department of the California Highway Patrol consists of the following members: the commissioner, the deputy commissioner, assistant commissioners, inspectors, captains, lieutenants, sergeants, officers, and investigators. Under existing law, all appointments to the classes of assistant commissioner, inspector, captain, lieutenant, and sergeant are required to be made from promotional eligible lists resulting from promotional examination of persons in the next lower class.

This bill would instead provide that the members of the patrol consist of the following: the commissioner, the deputy commissioner, assistant commissioners, deputy chiefs, assistant chiefs, captains, lieutenants, sergeants, and officers. The bill would also require that all promotions to the classes of deputy chief, assistant chief, captain, lieutenant, and sergeant be made from promotional eligible lists resulting from promotional examination of persons in the next lower class.

Ch. 616 (AB 342) Knox. Group disability policies.

Existing law does not regulate the coverage of husbands and wives who are both employees and are covered under disability insurance, self-insured employee welfare plans, nonprofit hospital service plans, or health care service plans provided by their employers.

This bill would specify that when a husband and wife are both employed as employees, and both have enrolled themselves and their eligible family members under a group disability insurance policy, group health care service plan, self-insured employee welfare benefit plan, or group nonprofit hospital service plan provided by their respective employers, and each spouse is covered as an employee under the terms of the same master policy or contract, each spouse may claim on his or her behalf, or on behalf of his or her enrolled dependents, the combined maximum contractual benefits to which an employee is entitled under the terms of the master policy or contract, not to exceed in the aggregate 100% of the charge for the covered expense or service.

This bill shall apply to every such group plan or policy entered into, issued, delivered, amended, or renewed in this state on or after January 1, 1978.

Ch. 617 (AB 456) Wornum. Vehicles: unlimited parking: disabled persons.

Under existing law, generally, certain disabled persons are permitted to park vehicles for unlimited periods of time in parking zones restricted as to the length of time parking is permitted, and to park vehicles in any metered parking space without being required to pay any parking meter fees. As a condition to exercising such privilege, it is required that the vehicle display a distinguishing license plate issued by the Department of Motor Vehicles.

This bill would make such provisions applicable to persons who suffer from cardiovascular disease classified in severity as class III or class IV according to standards accepted by the American Heart Association.

The above provisions of the bill, which would amend Section 22511.5 of the Vehicle

Code, would become operative on July 1, 1978

The bill would incorporate additional changes in Section 22511.5 of the Vehicle Code, proposed by AB 289, to be operative only if this bill and AB 289 are both chaptered and become effective January 1, 1978, both bills would amend Section 22511.5, operative July 1, 1978, and this bill is chaptered last.

Ch. 618 (AB 744) Cordova. Insurance: disability.

Existing law requires the Insurance Commissioner to disapprove disability policies for issuance or delivery in this state which do not meet prescribed standards and exempts accident policies which are issued through newspapers or other publications of general circulation from the provisions.

This bill would delete that exemption.

Ch. 619 (AB 829) Chel. State Teachers' Retirement System; options.

Existing State Teachers' Retirement Law provides that a member or retirant may only revoke or change an optional retirement allowance prior to the mailing of the first retirement allowance check.

This bill would permit a retirant to cancel a prior election of an optional retirement allowance and elect to receive an unmodified retirement allowance, or another option, in cases where a final dissolution of marriage or a judgment of nullity has been entered or an order of separate maintenance has been made by a court of competent jurisdiction and permit the cancellation to be made before or after the first retirement allowance check.

Ch. 620 (AB 885) Wray. Vehicles: equipment: lights

(1) Under existing law, no lights need be displayed upon a vehicle which is parked off the roadway.

This bill would revise such provisions by specifying that no lights need be displayed upon a vehicle which is parked off the roadway and not in a hazardous position on the highway.

(2) Existing law provides that the Department of the California Highway Patrol shall continue to carry out the approval of vehicle lamps, devices, and equipment as required by the Vehicle Code and departmental regulations adopted pursuant thereto.

This bill would except from such provisions equipment certified by the manufacturer to meet applicable federal motor vehicle safety standards as original equipment on new vehicles or identical replacement parts.

(3) The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

Ch. 621 (AB 1409) Keysor. Elections: voting machines.

Under existing law, the State Commission on Voting Machines and Vote Tabulating Devices has the right to withdraw its approval previously granted for any voting system or part of a voting system should it be defective or proved unacceptable after use in any election.

This bill would authorize the commission to withdraw such approval at any time rather than after use in any election, but such withdrawal would not be effective as to any election held within 6 months.

Ch. 622 (AB 1746) Knox. Public funds.

(1) Existing law authorizes the State Treasurer, with respect to provisions of the law relating to the deposit of state funds in banks and savings and loan associations, to enter into such contracts with such depositories as in his judgment will be to the public advantage and specifies certain requirements which the contracts must comply with.

This bill would revise the provisions of the law relating to the requirements of such contracts to, among other things, require that they fix the interest payment dates, delete the requirement that they provide that time deposits may not exceed a 1-year term, and require, with respect to contracts covering demand state deposits in banks, that each depository render a daily, rather than monthly, statement of the account. In addition, such contracts would expressly be permitted to provide for periodic interest payments during the term of deposit.

(2) Existing law contains specified provisions relating to the payment of interest by a bank or savings and loan association which is the depository of state money.

This bill would delete such provisions.

(3) Existing law contains no express provision authorizing the State Treasurer to promulgate regulations with respect to the redemption of state warrants and agency checks.

This bill would authorize the Treasurer to adopt such regulations and would establish a procedure for the redemption of state warrants and checks and revocation of payment or credit which would, among other things, provide that a presenting bank and the endorser of a state warrant or check presented to the Treasurer for redemption shall be deemed to guarantee that all prior endorsements are genuine, whether or not an express guaranty is placed on the item and, in any case in which the Treasurer redeems or gives credit for a warrant or check, he may revoke the payment or credit given by returning the warrant or check to the presenting bank if upon examination the item is found to bear a forged, erroneous, or unauthorized endorsement or to contain any material defect or alteration and, upon such revocation, may deduct the amount of the item from any amount that is due or may become due to the presenting bank or to obtain a refund from such bank.

Ch. 623 (AB 1776) Cordova. Public guardian: probate.

Existing law provides that the county board of supervisors may appoint a public guardian to apply in court for appointment as guardian or conservator of persons and estates of persons who are recipients of public social services or patients in a county or state care facility or who otherwise require a guardian or conservator. Upon the death of a ward or conservatee and with court approval, the public guardian may liquidate the ward or conservatee's assets to the extent necessary to pay burial and last illness expenses if the value of the estate is not more than \$5,000. Remaining assets may be transferred to heirs without procuring letters of administration or awaiting probate of a will if the heirs furnish a sworn affidavit or declaration showing the right to receive the assets.

This bill would permit the public guardian to liquidate all assets of such a ward or conservatee where the value of the estate, after payment of burial and last illness expenses, is not more than \$5,000, prior to transferring the assets to the heirs pursuant to the summary probate procedure.

Ch. 624 (AB 1167) Calvo. Energy resources surcharge.

Existing provisions of the Energy Resources Surcharge Law provides that every person consuming electrical energy in this state purchased from an electric utility is liable for the surcharge.

This bill would also impose liability for such surcharge on any person who consumes electrical energy in this state purchased from the United States or an agency thereof.

Existing law requires every electric utility making sales of electrical energy to consumers in this state to collect the energy resources surcharge from each consumer, other than an electric utility, at the time it collects its billings from the consumer for the electrical energy sold.

This bill would specify that an electric utility may collect such surcharge from another electric utility under agreed terms and conditions.

Under existing Energy Resources Surcharge Law, the State Board of Equalization is authorized to extend, not to exceed 1 month, the time for making any return or paying any amount required to be paid under this part.

This bill would require that any person to whom such extension is granted shall pay interest, at the rate of 1% per month, or fraction thereof, from the date such surcharge would have been due without the extension to the date of payment.

Pursuant to provisions of the Energy Resources Surcharge Law, interest is imposed on certain surcharges which are imposed pursuant to deficiency determinations, certain late payments of such surcharge, and refunds of illegally collected surcharges, at the rate of $\frac{1}{2}$ % per month, or fraction thereof.

This bill would increase such interest rate to 1% per month or fraction thereof after December 31, 1977.

Existing law prohibits the State Board of Equalization from approving an energy resources surcharge refund after 3 years from the last day of the month following the

close of the quarterly period for which the overpayment was made, or after 6 months from the date certain determinations or overpayments are made, unless a claim is filed with the board within such period.

This bill would authorize approval of refunds by the board for any period to which a waiver of the statutory period in which the board must mail a notice of deficiency determination applies.

Ch. 625 (AB 1828) Perino. Reclamation districts.

(1) Under existing law, the owners of a majority of the acreage in a reclamation district are required to adopt bylaws for the district for the government and affairs of the district.

This bill would, instead, authorize the owners of a majority of the acreage in a reclamation district to adopt such bylaws and, as an alternative thereto, it would authorize and prescribe the procedure for the adoption of such bylaws by the board of trustees of a reclamation district.

(2) Under existing law, the members of the governing board of a district, under specified conditions, may be replaced, upon petition of a holder of outstanding bonds or other instrument of indebtedness which is in default, by a governing board appointed by the county board of supervisors or, under specified circumstances, by the State Treasurer.

This bill would specify that any members so appointed to the board of trustees of a reclamation district shall be immune from liability to creditors of the district for debts incurred prior to their appointment.

This bill would take effect immediately as an urgency statute.

Ch. 626 (AB 637) Robinson. Savings and loan associations.

Effective January 1, 1977, a new General Corporation Law took effect which completely revised the laws governing corporations for profit in this state.

This bill would make conforming changes in the Savings and Loan Association Law.

Existing law permits a domestic savings and loan association owning all the outstanding stock of a subsidiary corporation to effect a merger by filing a certificate with the Savings and Loan Commissioner containing specified information.

This bill would permit a domestic association which owns less than all of the outstanding stock of another corporation but at least 90% of such shares to merge the subsidiary into the parent by resolution adopted by the boards of the parent and subsidiary corporation and the filing of a certificate of ownership with the Savings and Loan Commissioner.

Ch. 627 (AB 642) Thurman. Automatic bale wagons.

Existing provisions of law relating to implements of husbandry do not contain any specific provisions relating to automatic bale wagons.

This bill would provide for the issuance of special identification plates, of the type issued for implements of husbandry, to the owner of an automatic bale wagon upon payment of a \$5 service fee to the Department of Motor Vehicles. Such a wagon displaying the plates would be permitted to be operated unladen on a highway and to be operated, when transporting baled hay or straw, for not more than 5 continuous road miles on a highway between parcels of property owned, leased, or controlled by a farmer. Such a wagon would be subject to all equipment and device requirements as if registered. The driver of such a wagon would be required to possess a driver's license of the appropriate class when operating it on a highway under specified circumstances. Such a wagon would be permitted a maximum width of the vehicle or load of 120 inches, but any such wagon exceeding 96 inches in width or having a load of 100 inches would be prohibited from being operated on any highway during darkness. "Automatic bale wagon" would be defined for purposes of the bill.

Under existing law a portion of the fees received by the department and deposited in the Motor Vehicle Account in the Transportation Tax Fund could be transferred to the credit of the State Highway Account in the State Transportation Fund, which is continuously appropriated.

Inasmuch as the new service fee imposed by the bill could be credited to that continuously appropriated fund, this bill would make an appropriation.

Ch. 628 (AB 921) Gualco. Fish and Game: volumetric measurement by public weighmasters

Existing law does not authorize the issuance of a receipt showing the weight of fish, mollusks, or crustaceans as a weight or measure certificated by public weighmasters to be determined by computation based upon volumetric measurement of containers

This bill would specifically permit such measurement as to squid or anchovy except in the case of squid or anchovy delivered for the purpose of canning, retorting, or reduction.

Ch. 629 (AB 968) Alatorre. Unemployment insurance: employee.

Existing law defines the term "employee" for purposes of unemployment compensation benefits and unemployment compensation disability benefits.

The bill would include as an employee for such purposes specified home workers performing work, according to specifications furnished by the person for whom the services are performed, on materials or goods furnished by such person which are required to be returned to such person or a person designated by him

Ch. 630 (AB 1049) Mori. Regional park district: fiscal management.

(1) Existing law permits the controller of a regional park district to make payments for obligations that have been approved by the board of directors and for employee salaries and benefits and other recurring claims, as annually authorized by the board.

This bill would recast such provisions to permit payment of employee salaries and benefits and other recurring claims, as annually authorized by the board, and to permit payment of such obligations that have first been approved by a majority of the board at a meeting thereof. It would also permit the board, by resolution and under such terms and conditions as it may prescribe therein, to authorize the controller to pay demands against the district without approval if each such expenditure has been authorized in the district's adopted budget and does not exceed the amount of expenditure so authorized. The bill would vest the powers of the controller in the county auditor if the funds of the district are maintained solely in the county treasury.

(2) Existing law requires the controller to install and maintain a system of auditing and accounting that will completely and at all times show the financial condition of the district.

This bill would delete the requirement that such system completely show the financial condition of the district.

(3) Existing law requires the board of directors to choose one of its members to serve as secretary and another to serve as treasurer or one or more administrative secretaries or clerks to perform the duties of secretary or treasurer or both. It further provides that the secretary shall give his full time during office hours to the affairs of the district and requires that he act as secretary of the board and keep a record of the proceedings

This bill would, instead, require that the secretary of the board or the administrative secretary act as secretary to the board and keep a record of its proceedings and require the administrative secretary to give his full time during office hours to the affairs of the district.

(4) Existing law requires checks or warrants to be signed by the president, or other authorized officer, and attested by the secretary.

This bill would, instead, require the board of directors to authorize, by ordinance, signatories for checks or warrants, to be selected from members of the board, the general manager of the district, and the administrative secretary, and would require a minimum of 2 signatures on all checks and warrants.

(5) The bill would specify that there shall be no reimbursement for any state-mandated local program costs, for a specified reason.

Ch 631 (AB 1326) Nestande. Property: maintenance, security

School districts and community college districts are required to utilize competitive bidding in letting contracts involving more than \$5,000 for work to be done or more than \$8,000 for materials or supplies to be furnished, sold, or leased to the district.

This bill would increase these amounts to \$8,000 and \$12,000, respectively.

Existing law permits governing boards of school districts to construct a mobilehome site on school grounds maintained by the district in order to permit a responsible person

to install a mobilehome on the site and maintain surveillance over the school grounds
This bill would extend such authority to any facility maintained by the district.

Ch. 632 (AB 1496) Dixon. Public educational employer-employee relations.

Existing law does not require that an employee organization representing public school employees has standing to sue in any action or proceeding instituted by it on behalf of its members.

This bill would so provide with respect to actions or proceedings commenced prior to, but concluded or pending as of, as well as on or after, the effective date of this bill.

Ch. 633 (SB 729) Behr. County highways: permanent road division.

Under existing law, upon petition, the board of supervisors may establish a permanent road division for the construction, improvement, or maintenance of a county highway. Other than correcting the description of the established boundaries of a division, there is no provision for a change in the boundaries of a division.

This bill would authorize the board of supervisors to modify the boundaries of a division to exclude from the division any property which the board determines, after a required public hearing, would not benefit from the proposed construction, improvement, or maintenance of the county highway as alleged in a verified petition filed with the board by the landowner and there are no outstanding obligations owed by the landowner to the division.

The bill would also authorize the board to modify the boundaries of a division to include property previously located outside of the division which the board determines, after a hearing, would benefit from proposed construction, improvement, or maintenance of a county highway by the division.

The bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be an appropriation made by this bill for a specified reason.

Ch. 634 (AB 1954) Gualco. Water conservation.

Existing law provides for restriction of the use of water by public and private distributors after public hearing in a water shortage emergency.

This bill would authorize a public entity which supplies water at retail for the benefit of the inhabitants of the public entity, after public hearing, to adopt and enforce, by ordinance or resolution, a water conservation program for the purpose of conserving the water supplies of such public entity.

Violation of a requirement of such a water conservation program would be a misdemeanor, and upon conviction would be punished by a fine not to exceed \$500, imprisonment in the county jail not to exceed 30 days, or both.

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor appropriation made by this act for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 635 (SB 968) Smith. Venipuncture.

Existing law permits unlicensed persons employed by a licensed clinical laboratory to perform venipuncture or skin puncture for the purpose of withdrawing blood for test purposes provided, among other things, that the person works under the direct supervision of a person licensed pursuant to the clinical laboratory technology provisions or a physician and surgeon.

This bill would delete the requirement of direct supervision and would instead require that such unlicensed person work under the supervision of the specified licensed persons, and that such persons be physically available to be summoned to the scene of the venipuncture within 5 minutes during the performance of such procedures.

Ch. 636 (SB 1032) Behr. Victims of crimes.

Under present law, certain functions for the investigation and verification of claims for indemnification by victims of crime are vested in the Attorney General who is directed to report thereon to the State Board of Control which processes the claim further.

This bill would transfer these functions from the Attorney General to the State Board of Control.

Ch 637 (AB 797) Brown School administrative employees: tenure

Under existing law, certificated employees of a school district or community college district serving in an administrative or supervisory position are generally precluded from acquiring permanent status (tenure) in such position, although such an employee may retain tenure previously attained in a teaching position.

Pursuant to a provision of the Education Code, the general statutory law dealing with tenure of certificated employees may not be construed so as to negate the provisions of a city or county charter.

This bill would provide that, notwithstanding any charter provision to the contrary, certificated employees of a school district or community college district serving in an administrative or supervisory position shall neither acquire nor retain permanent status in such position except in accordance with other generally applicable provisions of law.

Ch 638 (AB 173) Maddy Mariposa County Water Agency

(1) The Mariposa County Water Agency is not presently empowered to construct, purchase, lease, or otherwise acquire facilities for the collection, transmission, treatment, and disposal of sewage, waste, or storm water.

This bill would authorize the agency to finance, construct, purchase, lease, or otherwise acquire facilities for the collection, transmission, treatment, and disposal of sewage, waste, or storm water and to operate, maintain, and use such facilities.

The bill would also authorize the agency to contract with any district for the grant, loan, assignment, or contribution of money, services, or real or personal property to any district to aid in carrying out any of the purposes and powers of the agency and such district; provided, that, except for loans, the views of the advisory body shall be requested and considered and such contracts, except for loans, shall require approval of $\frac{2}{3}$ of the members of the board.

Also, existing law authorizes, but does not require, creation of the advisory body to the board. This bill would require creation of such advisory body.

(2) Existing law does not specifically authorize the agency to adopt regulations respecting exercise of its powers.

This bill would give the agency the power to adopt regulations respecting exercise of its powers.

(3) Existing law does not authorize the agency to establish standby charges for services made available by the agency.

This bill would authorize the agency to establish standby charges, as specified, which, in the discretion of the agency, would be collected with, and in the same manner as, county taxes.

(4) Existing law does not specifically authorize the agency to require connection to agency sewer and storm drain systems.

This bill would authorize the agency to adopt requirements for connection to agency sewer and storm drain systems as prescribed.

(5) This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor appropriation made by this act for a specified reason.

(6) This bill would take effect immediately as an urgency statute.

Ch. 639 (AB 231) Chimbole. Mojave Water Agency: membership of the board of directors

Existing law provides for the Board of Directors of the Mojave Water Agency to be 11 members, 7 of whom are elected by divisions, one of whom is elected at large, and three of whom are appointed as specified.

This bill would terminate the office of the member of the Board of Directors of the Mojave Water Agency elected at large and terminate the offices of the 3 appointed members, leaving only the 7 members of the board elected by divisions, and make conforming changes.

The bill would declare legislative findings pertaining to the composition of the board of directors of the agency.

Ch. 640 (AB 1061) Young. Insurance: insolvent insurers.

Existing law provides that the California Insurance Guarantee Association is to pay covered claims of certain insolvent member insurers. Existing law also provides procedures for administering the insolvency and delinquency of all insolvent admitted insurers, to be conducted by the Insurance Commissioner.

Existing law provides that in any proceeding involving the insolvency of a member of the association, the commissioner may, with court approval, advance funds to the association to pay claims.

This bill would repeal such provision for the advancement of funds.

This bill would instead provide a specific procedure for disbursing the assets of insolvent member insurers of the California Insurance Guarantee Association, to the association or to similar entities in another state and would specify the commissioner's duties with regard thereto.

Ch. 641 (AB 406) Maddy. Loans.

No provision of existing law authorizes a personal property broker to make "open end loans" as that term would be defined by this bill.

This bill would do so, permitting the borrower to obtain advances of money from a personal property broker from time to time or permitting such lender to advance money on behalf of the borrower at the direction of the borrower from time to time, and make various regulations with respect thereto. This bill would also provide that its provisions do not apply to loans in specified amounts, and for specified purposes.

This bill would provide that no reimbursement nor appropriation is made to local entities for specified purposes.

Ch. 642 (AB 1187) Torres. Migrant child care.

The law currently authorizes the establishment by local and public agencies of various types of child development services, and provides partial state funding for the cost of providing such services.

This bill would include among the types of services specifically enumerated, full- or part-day supervision and developmental activities for children 6 weeks through 2 years of age at migrant child care centers including care provided on weekends.

Ch. 643 (AB 1825) Lehman. State funds: investment.

Existing law specifies those securities eligible for the investment of specified surplus state funds and includes, among such eligible securities, bonds of any county, city, metropolitan water district, municipal utility district, or school district of this state.

This bill would, in addition, expressly make warrants of such agencies, and bonds or warrants of any California water district, California water storage district, or irrigation district in the State of California eligible securities.

In addition, it would make obligations of the Federal Home Loan Mortgage Corporation eligible securities.

Ch. 644 (SB 689) Johnson. Air pollution: open outdoor fires.

(1) Under existing law, until January 1, 1980, or such earlier date as determined by the State Air Resources Board based on a specified finding, open outdoor fires, upon the issuance of a permit from the air pollution control district having jurisdiction, may be used to dispose of wood waste from trees, vines, and brush on property being developed for commercial or residential purposes if the trees, vines, and brush were grown on the property.

This bill would authorize, within the above time limitation, the use of such fires to dispose of such nonindustrial wood waste by a county or city at disposal sites located above 1,500 feet elevation mean sea level. Permits would be required from the district and the fire protection agency having jurisdiction over the area in which the site is located. The burning would be permitted only on days during which agricultural burning is not prohibited by the state board.

The state board would be required to approve the use of open outdoor fires at a designated disposal site to dispose of such nonindustrial wood waste if such an operation of the disposal site would not prevent the achievement and maintenance of ambient air quality standards. The approval would be required to be granted for a minimum of 1 year.

A county, in seeking such approval from the state board for such disposal sites throughout the county, would be authorized to submit its plan for the disposal of such nonindustrial wood waste in the county by the use of open outdoor fires at the disposal sites.

(2) Under existing law, with specified exceptions, no person may discharge into the atmosphere, from any source whatsoever, any air contaminant, other than uncombined water vapor, for a period aggregating more than 3 minutes in an hour which is as dark or darker in shade as that designated as No. 2 on the Ringelmann Chart.

The bill would also exempt, from the Ringelmann No. 2 requirement, authorized nonagricultural burning, other than open outdoor fires to dispose of agricultural wastes or wood waste in mechanized burners.

Ch. 645 (AB 1036) Bane. Vehicle salesmen.

(1) Existing law does not provide for the issuance of a temporary permit to any person applying to the Department of Motor Vehicles for a vehicle salesman's license.

This bill would authorize the department to issue such a permit, valid for 120 days, and would provide for the cancellation thereof on certain grounds and for a hearing regarding the department's refusal to issue a permanent license.

(2) Existing law authorizes the department to refuse to issue, suspend, or revoke such a license when it determines that, among other grounds, the applicant or licensee is not of good moral character, evidence of which may be established by conviction for a crime involving moral turpitude, or that any cause for refusal to issue a license to a vehicle dealer, transporter, manufacturer, manufacturer branch, distributor, or distributor branch exists with respect to the applicant or licensee, one such cause being conviction of a felony or a crime involving moral turpitude.

Existing law also makes it unlawful and a cause for disciplinary action for a licensed vehicle salesman to commit certain specified acts.

This bill would recast such provisions, and instead would authorize the department to refuse to issue, suspend, or revoke such a license when it determines that a cause for refusal, suspension, or revocation exists under specified provisions of the Vehicle Code which prescribe grounds for refusal to issue, and for suspension or revocation of, a license of a vehicle verifier, automobile dismantler, vehicle lessor-retailer, vehicle salesman, vehicle representative, vehicle dealer, transporter, manufacturer, manufacturer branch, distributor, or distributor branch. Further, this bill would delete the specific provision which authorizes the department to refuse to issue, suspend, or revoke such a license when it determines that the applicant or licensee is not of good moral character, but the department would still be authorized to refuse to issue, suspend, or revoke such a license when it determines that the applicant or licensee has been convicted of a felony or a crime involving moral turpitude.

Ch. 646 (SB 858) Stiern. Animals: disease control.

(1) Existing law provides for the regulation of animals for the prevention and control of disease. Such law also makes specified actions unlawful.

This bill would specify that any violation, rather than specified violations, of the statutory provisions on animal disease control, would be a misdemeanor subject to a specified fine, imprisonment, or both and provides that any such violation, or violation of a regulation adopted pursuant to the provisions on animal disease control by the Director of Food and Agriculture, would be subject to a specified civil penalty. The bill also provides provisions for investigation and enforcement of such provisions and disposition of fees, penalties, and penalty assessments to the Department of Food and Agriculture Fund, a continuously appropriated fund.

(2) Under existing law calves which are vaccinated for bovine brucellosis are required to have a tattoo placed in the left ear.

This bill would require the tattoo to be placed in the right ear.

(3) Under existing law, there are provisions for inspection, vaccination, slaughter, and compensation for bovines with brucellosis.

This bill would establish procedures for imposing liability for destruction of bovines with bovine brucellosis upon the owner of such bovines if the owner does not cooperate with the department in attempts to eradicate bovine brucellosis.

(4) This bill would also provide that there shall be no reimbursement of local agencies for any state-mandated local program for a specified reason.

Ch. 647 (AB 541) Sieroty. Youth Authority: regulations.

Present law provides that the Department of the Youth Authority may make and enforce all rules appropriate to the accomplishment of its functions.

The bill would provide that the rules and regulations adopted by either the Department of the Youth Authority or the Youth Authority Board must be filed and made available to the public and be stated in language easily understood by the general public.

The bill provides that the department and the board are required, when promulgating rules and regulations, to comply with the Administrative Procedure Act, with specified exceptions, and requires the department and the board to maintain and publish a compendium of specified regulations. This bill would further provide that it is the intent of the Legislature that rules and regulations of the Department of the Youth Authority or the Youth Authority Board existing on the effective date of this act shall be heard and adopted pursuant to the Administrative Procedure Act before July 1, 1979.

Ch. 648 (AB 565) Fazio. Property taxation: proceeds of sale of tax-deeded property.

Under existing law various local governmental entities are empowered to collect property taxes and special assessments separately from the county tax rolls. These entities are also empowered to sell real property for nonpayment of such taxes or assessments.

This bill would provide uniform provisions for the distribution of proceeds of sales by such agencies including reimbursement of the costs of advertising, and \$150 for costs of administering the sale to the agency conducting the sale and, after satisfaction of the tax or assessment liens, distribution of the balance of any remaining surplus first to certain lienholders of record, and then to any person who demonstrates title to the property immediately prior to the sale.

The bill also provides that there shall be no reimbursement to local government for administrative costs incurred pursuant to the bill, for a specified reason.

Ch. 649 (AB 289) Vasconcellos. Preferential parking: blind persons.

Existing law authorizes the Department of Motor Vehicles to issue distinguishing license plates or placards to disabled persons and disabled veterans, as defined, upon payment of a fee. Such persons are entitled to park in restricted zones and to park in metered spaces for free, to park in spaces designated for their use by a local authority, and to park in stalls and spaces in publicly and privately owned offstreet parking facilities designated for their use. Parking by unauthorized vehicles in such stalls and spaces is prohibited, and unauthorized vehicles parking in such stalls and spaces in an offstreet parking facility are subject to removal.

This bill would extend such privileges to any vehicle owned by a blind person and displaying a distinguishing license plate or placard. Such a vehicle would also be made subject to any limitations on, and requirements regarding, such privileges. "Blind" would be defined for the purposes of the bill.

The above provisions of the bill, which would amend Section 22511.5 of the Vehicle Code, would become operative on July 1, 1978.

The bill would incorporate additional changes in Section 22511 5 of the Vehicle Code, proposed by AB 456, to be operative only if this bill and AB 456 are both chaptered and become effective January 1, 1978, both bills would amend Section 22511.5, operative July 1, 1978, and this bill is chaptered last.

Ch. 650 (AB 850) Knox. California Pollution Control Financing Authority.

(1) The California Public Records Act sets forth exemptions to its provisions requiring disclosure of, and access to, public records.

This bill would add a new exemption to the California Public Records Act for financial data contained in applications for financing under the California Pollution Control Financing Authority Act, where disclosure of such data is determined by an authorized officer of the California Pollution Control Financing Authority to be competitively injurious and such data is required in order to obtain guarantees from the United States Small Business Administration

(2) Under present law, the authority is required to determine which projects it will finance on a quarterly basis

This bill would empower the authority to authorize such financing throughout the

calendar quarter for projects of less than \$1,000,000, which are required in less than a year in order to comply with federal, state, or local pollution control laws.

(3) Present law limits financing of projects to a maximum of \$50,000,000 per calendar quarter, with an additional \$50,000,000 per calendar quarter for prescribed solid waste disposal projects. Any single resolution authority bonds to finance such projects is limited to \$200,000,000 of new debt and subject to prescribed review by the Legislature.

This bill would empower the authority to provide separate financing for projects to alleviate pollution from electrical generation facilities of public utilities. Bonds for such purpose would be issued pursuant to a resolution subject to review of the Legislature and any such resolution would be limited to \$200,000,000 of new debt. The bill also would empower the authority to issue up to \$100,000,000 in bonds to finance such projects without having to submit a resolution to the Legislature for review. There would be no dollar limitation on the amount of financing extended for such projects in any calendar quarter.

(4) Under current law, the authority may pledge any of its revenues to secure its bonds and may provide for reserves and sinking funds. Also, the authority is authorized to fix, revise, charge, and collect rates, rents, fees, and charges for each project financed by it.

This bill would expressly provide that the authority may levy fees or charges on, or require deposits from, participating parties receiving project financing in order to establish common reserve funds for bonds of the authority. Liability of such a reserve fund with respect to a single issue of bonds would generally be limited to the lesser of \$1,000,000 or an amount equal to the sum of the unpaid principal, interest, and premium, if any, of the outstanding bonds of the issue. However, for any issue of bonds issued to finance solid waste disposal projects, the liability of the common reserve fund would not be limited to \$1,000,000. The bill would require each common reserve fund to be segregated in a special account with all interest or other increment earned by investment or deposit thereof to be credited to the account.

(5) Under present law, the authority is specifically empowered to issue bonds to finance a particular project or projects, but nothing in present law expressly sanctions issuance of the authority's bonds in advance of the selection of the projects to be financed thereby.

This bill would expressly empower the authority to issue its bonds prior to designation of the projects to be financed thereby if the revenues due the authority on account of the projects financed with the bond proceeds will be guaranteed by the United States Small Business Administration.

(6) Under present law, the authority's bonds may be secured by a trust agreement with a trust company or bank having the power of a trust company.

This bill would additionally authorize the State Treasurer to act as a trustee with respect to the authority's bonds and would provide that it is not a conflict of interest for the State Treasurer to act as such a trustee.

(7) Current law empowers the authority to finance projects through leases or contracts of sale with participating parties, including installment contracts and conditional sales contracts.

This bill would empower the authority to finance such projects through loan agreements with participating parties if repayment of the loan is guaranteed by the United States Small Business Administration or other agency or instrumentality of the United States. Such loans could be secured or unsecured in the discretion of the authority.

(8) This bill would also make technical clarifying changes.

(9) This bill would make an appropriation by empowering the authority to separately issue bonds, and utilize the proceeds thereof for financing projects for the alleviation of pollution from electrical generation facilities of public utilities.

(10) This bill would take effect immediately as an urgency statute.

Ch. 651 (AB 1291) Bane. Chiropractors.

Under existing law, whether or not the certificate of a chiropractor would satisfy a certification of disability requirement for credit disability insurance, disability insurance or life insurance would be determined by the provisions of the contract of insurance.

This bill would provide that certifications of disability by a licensed chiropractor acting within the scope of his license shall be accepted by insurers as equally valid as that of a physician and surgeon.

Ch. 652 (AB 858) Bannai. Crab: tax.

Existing law requires, until July 1, 1979, every person operating under a fish packaging and processing license to pay in addition to the license fee and a specified privilege tax an additional privilege tax of a specified amount for each pound of crab purchased, received, or taken by him and requires such revenues to be expended for crab research and management activities.

This bill would provide that the authority to collect the additional tax expires after \$500,000 has been collected.

This bill would take effect immediately as an urgency statute.

Ch. 653 (AB 1518) Thurman. State highways: county minimums: Route 99.

Under existing law, not less than \$4,000,000 is required to be allocated for expenditure for state highway construction in each county (\$3,000,000 each in the case of Alpine and Sierra Counties) during each 4-year period.

This bill would deem any expenditure for the improvement of State Highway Route 99 from approximately 0.4 miles south of El Capitan to approximately 1.1 mile north of El Capitan, in and near the community of Delhi, during the current 4-year period (July 1, 1975 to June 30, 1979), to be made during the current period only to the extent necessary to meet the \$4,000,000 county minimum for Merced County for the current period. The excess expenditure, if any, during the current period would be credited as expenditures to meet Merced County's county minimum for the 4-year period commencing on July 1, 1979.

Ch. 654 (AB 1230) Ferino. School employees: leaves of absence.

Existing law provides that the governing board of a school or community college district may provide for a leave of absence to any certificated employee who is absent because of accident or illness.

This bill would permit the governing board of a school or community college district to grant a leave of absence to any certificated employee who has applied for a disability allowance and would make provision for classifying employees who replace certificated employees who are on a leave of absence.

Ch. 655 (AB 1164) Chimbole. Vehicles: motorcycles and motorized bicycles: safety helmets: safety regulations.

Under existing law, the Department of the California Highway Patrol is required to adopt regulations establishing specifications and standards for safety helmets offered for sale, or sold, for use by motorcycle drivers and passengers. Existing law prohibits the sale, and offering for sale, for use by a motorcycle driver or passenger, of any safety helmet which is not of a type approved by the department.

This bill would make such provisions also applicable to safety helmets offered for sale, or sold, for use by a driver or passenger of a motorized bicycle. The bill would also delete an obsolete provision.

The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the act for a specified reason.

Ch. 656 (AB 629) Mciri. Grand juries: expenses.

Existing law sets the fee which grand jurors in Alameda County receive for travel at \$0.15 a mile in going only for each mile actually traveled in attending court as a grand juror.

This bill would provide that the same fee be paid for mileage going and returning for each mile actually traveled in attending court as a grand juror in Alameda County.

The bill would also provide that no appropriation or reimbursement shall be made because the bill is in accordance with the request of a local government entity or entities which desire authority to act pursuant to the bill.

Ch. 657 (AB 622) Hart. Classified employees: eligibility lists.

Under current law, eligibility lists used for promoting and selecting new employees in the classified service must be established for a period of not less than 1 year, except that when a list is exhausted through use and eligibles are unavailable, the personnel commission, on recommendation of the officer charged with certifying eligibles, and

after due notice to eligibles who have made themselves unavailable for appointment, may terminate it before a year has expired.

This bill would permit the establishment of open competitive eligibility lists for a period of 6 months upon the approval of the personnel commission.

Ch. 658 (SB 664) Garamendi. Agricultural products: regulations.

Under existing law, the Director of Food and Agriculture may adopt regulations on quality and maturity standards for any fruits, nuts, or vegetables. Under existing law, such regulations, except emergency regulations, in effect on January 1, 1978, are continued as statutory enactments and the director cannot establish, modify, or rescind quality and maturity standards for any fruits, nuts, or vegetables on or after that date.

This bill would repeal the limitation on the director's authority to establish, modify, or rescind such quality and maturity standards after January 1, 1978, delete the provision giving regulations in effect on that date statutory status, and make a declaration relevant to the need of such standards.

Ch. 659 (AB 1481) Bannai. Teachers' Retirement System, State: generally.

Existing State Teachers' Retirement Law provides that the obligations of any member to the system continue throughout membership. This bill would also make the obligations of beneficiaries similar in nature.

Existing law provides that a member is retired with the mailing of the first warrant from the system. This bill would provide that the effective date on the retirement application shall generally be the effective date of retirement.

Existing law provides that for the purposes of payments for adjustments of errors or omissions the period of limitation of actions shall not commence until discovery of the error or omission except that with respect to actions against a retirant or beneficiary based upon erroneous payment the period of limitation shall commence on the date of such payment. This bill would instead provide that for purposes of payments sought by the system from a former member or his beneficiary the limitation upon action shall not commence until all obligations have been discharged and that for the purposes of payments sought from the system, the limitation of action shall not commence until the filing of a claim.

The bill would also define the terms "normal retirement" and "normal retirement age."

Existing law permits the Teachers' Retirement Board to subscribe for membership in the National Council on Teacher Retirement. The bill would delete that provision.

Existing law requires all disbursements of money from the Teachers' Retirement Fund to be made on claims duly audited. This bill would except disbursements to return erroneously deposited funds from that requirement.

Existing law permits deductions of contributions due from benefits payments and deductions of over payments from death benefits. This bill would instead permit any overpayments to be deducted from any subsequent benefits and provides that such deductions are permitted concurrently with any suit for restitution.

Ch. 660 (AB 1080) Calvo. Resources Agency: Governor's appointees.

Existing law contains no express provision authorizing the Governor to appoint, with respect to the Resources Agency, an Assistant Secretary for Energy Matters and an Assistant Secretary for Coastal Matters.

This bill would authorize the Governor to make such appointments.

Ch. 661 (AB 161) Cline. Clinical laboratories.

Existing law authorizes persons licensed to perform tests called for in a clinical laboratory to perform arterial puncture, venipuncture, or skin puncture for purposes of withdrawing blood or for test purposes as defined by regulations established by the State Department of Health and authorizes such department to, by regulation, authorize unlicensed laboratory personnel to perform venipuncture or skin puncture for such purposes as defined by such department.

This bill would, in addition, authorize such licensed persons to perform skin tests for specific diseases and would authorize the department, by regulation, to authorize such unlicensed persons to perform skin tests for specific diseases.

Ch. 662 (AB 505) Thurman. State administration.

Under the present law, the Department of Food and Agriculture and the Department of Industrial Relations are within the Agriculture and Services Agency.

This bill would remove the Department of Food and Agriculture and the Department of Industrial Relations from the Agriculture and Services Agency. It would rename the Agriculture and Services Agency as the State and Consumer Services Agency and rename the Secretary of Agriculture and Services as the Secretary of State and Consumer Services Agency.

This bill would incorporate additional changes in Sections 12800, 12804, and 12855 of the Government Code, and Section 50 of the Labor Code, proposed by Senate Bill No. 567, to be operative on the operative date of Senate Bill No. 567 only if Senate Bill No. 567 and this bill are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last.

Ch. 663 (SB 440) Russell. Alcoholic beverages.

Existing law prohibits the sale or exposing for sale of alcoholic beverages within 1½ miles of the California Institute of Technology. Existing law contains certain exceptions from this prohibition for premises existing when the prohibition took effect.

This bill would authorize the Department of Alcoholic Beverage Control to issue a retail off-sale alcoholic beverage license to any person who owns premises within 1½ miles of the California Institute of Technology provided: (1) the premises, which is now unlicensed, was so licensed within the past 3 years; (2) application is made within 30 days; and (3) the applicant is otherwise qualified to be so licensed. The bill would provide that such provision is to be operative until January 1, 1979, and on such date is repealed.

Ch. 664 (AB 1637) Wray. Motorized bicycles: bike lanes

Existing law contains provisions which permit the establishment of bicycle lanes on a roadway by local authorities and which provide that whenever such a bicycle lane has been established, any person operating a motor vehicle on such roadway shall not drive in the bicycle lane except to park where parking is permitted, to enter or leave the highway, or to prepare for a turn. Another provision of existing law purports to permit, notwithstanding any other provision of law, the operation of one type of motor vehicle, a motorized bicycle, on a bicycle path or trail or bikeway which is within a roadway.

This bill would specify the provision purporting to authorize the use of a motorized bicycle on a bicycle path or trail or bikeway which is within a road applies to bicycle lanes, and would specifically exclude from the prohibitions against the use of a motor vehicle in bicycle lane in a roadway, a motorized bicycle. This bill would also limit the speed of motorized bicycles in bicycle lanes to that which is reasonable or prudent having due regard for visibility and the traffic on, and the surface of, the bicycle lane and would prohibit operation in a manner which endangers the safety of bicyclists utilizing the bicycle lane.

This bill would provide there would be no reimbursement of local agency costs incurred pursuant to the bill for a specified reason.

Ch. 665 (AB 491) Arrett. Postsecondary education: inmates and parolees.

Under existing law, various limited postsecondary education programs are available to inmates of the Department of Corrections and wards of the California Youth Authority.

This bill would permit the Board of Governors of the California Community Colleges, in cooperation with the Trustees of the California State University and Colleges and the Regents of the University of California, to support existing and additional programs which provide postsecondary educational opportunities and services to prison inmates, wards, and parolees of the Department of Corrections and the California Youth Authority.

This bill would require the California Postsecondary Education Commission to report on postsecondary educational opportunities that are available to inmates and ex-offenders, as specified.

This bill would also appropriate from the General Fund \$40,000 to the California Postsecondary Education Commission for conducting such report.

Ch. 666 (AB 713) Cordova. Redevelopment: relocation assistance: records.

Under the California Public Records Act, all records of public agencies are required to be public unless they come within one of the exemptions included in the act, including an exemption for records made exempt by other provisions of state law. Under another provision of state law, records of redevelopment agencies relative to relocation advisory assistance or relocation payments are made confidential.

This bill would repeal that provision.

This bill would provide that no appropriation is made to reimburse local agencies for costs incurred by them pursuant to the bill for a specified reason.

Ch. 667 (AB 405) Maddy. Assault on a peace officer

Existing law makes an assault on a peace officer, as defined, when the person committing the assault knows or reasonably should know that the victim is a peace officer engaged in the performance of his duties and the peace officer is engaged in the performance of his duties, a felony punishable by imprisonment in the state prison for 16 months, or 2 or 3 years, or in the county jail not exceeding 1 year.

This bill would provide that every person who, in the immediate presence of a peace officer, as defined, draws or exhibits any firearm, whether loaded or unloaded, in a rude, angry or threatening manner and who knows or reasonably should know that the victim is a peace officer engaged in the performance of his duties and such peace officer is engaged in the performance of his duties is guilty of a felony punishable by imprisonment in state prison for 16 months, or 2 or 3 years, or in the county jail not exceeding 1 year.

This bill would provide that there shall be no reimbursement or appropriation made pursuant to the bill for a specified reason.

Ch. 668 (AB 896) Berman. Physicians: liability.

Under existing law there are provisions establishing limited immunity for actions taken by a rescue team of a hospital in an emergency situation. Existing law also provides that persons licensed pursuant to the Medical Practice Act, including physicians, and podiatrists, are not liable for civil damages as a result of acts or omissions by such persons who in good faith render emergency care at the scene of an emergency.

This bill would provide that a physician or podiatrist would not be liable for damages for injury or death caused in an emergency situation occurring in the physician's or podiatrist's office or in a hospital on account of a failure to inform a patient of the possible consequences of a medical procedure where the failure to inform was caused by the unconsciousness of the patient, or where full information could not be given because of the need for immediate treatment, or because the patient was legally incapable of giving consent and consent could not be otherwise obtained immediately.

This limit on liability would only be applicable to actions for damages for injuries or death caused by a physician's or podiatrist's failure to inform, and not to actions for such damages caused by a physician's or podiatrist's negligence in rendering or failing to render treatment.

Ch. 669 (AB 195) Chumbole. Horseracing.

Existing law provides that members of the California Horse Racing Board serve without compensation, but receive their necessary traveling expenses.

This bill repeals existing law and instead would provide that members of the board shall receive a per diem of \$100 for each day, spent in attendance at meetings scheduled by the chairman of the board for the purpose of fulfilling the duties of the board, together with traveling and other expenses

Ch. 670 (AB 674) Papan. Teachers' Retirement System, State: service retirement.

Existing State Teachers' Retirement Law permits members to receive full retirement allowances at age 60 and reduces the allowance if the retirement is effective at less than age 60.

This bill would permit school districts and other employing agencies to elect to provide retirement regardless of age on a reduced basis if a member is credited with 30 years of service. The bill would require school district and other employing agencies' contributions to pay the present value of the additional benefit to the Teachers' Retirement Fund.

Ch. 671 (AB 203) Elanai. City government: annexation of territory.

Existing law relating to the annexation of territory by a city specifies territories which shall not be deemed to be "contiguous."

This bill would, in addition, specify what territory shall be deemed contiguous.

This bill would add Section 35033.5 to the Government Code, which would be effective only if Assembly Bill No. 1533 and this bill are both chaptered

Ch. 672 (AB 532) Wornum. Taxation: transactions and use taxes: Sonoma County, Marin County Transit District, Santa Cruz Metropolitan Transit District.

(1) Under the Bradley-Burns Uniform Local Sales and Use Tax Law, the counties impose a 1¼% sales and use tax. However, no county is authorized to impose a ½% transactions and use tax under the Transactions and Use Tax Law.

This bill would authorize the County of Sonoma to impose such taxes under that law in the incorporated and unincorporated territory of the county upon the adoption of a transactions and use tax ordinance by a majority of the voters of the county voting on a measure to authorize the enactment of such an ordinance. The tax revenues received by the county would have to be used for public transit purposes.

(2) Under the Marin County Transit District Act of 1964, the Marin County Transit District and, under the Santa Cruz Metropolitan Transit District Act of 1967, the Santa Cruz Metropolitan Transit District have no authority to impose a ½% transactions and use tax.

The bill would authorize each of the districts to impose such a tax pursuant to the Transactions and Use Tax Law by ordinance upon the approval of a majority of the voters voting on the ordinance.

(3) Under the Santa Cruz Metropolitan Transit District Act of 1967, the Santa Cruz Metropolitan Transit District (hereafter referred to as the district), may impose a property tax at the rate of 5 cents per \$100 of assessed value or, upon the approval of the majority of the voters voting, at a rate up to 10 cents per \$100 of assessed value.

The bill would make inoperative the power of the district to impose a property tax on and after the operative date of the ordinance imposing the ½% transactions and use taxes.

(4) The bill would repeal an obsolete provision regarding borrowing by the district for its initial expenses at the time of its formation and would make other related changes.

(5) Under existing law, the State Board of Equalization is prohibited from administering the sales and use tax ordinance of a county if it imposes sales and use taxes at a rate greater than 1¼%.

The bill would require the board to continue to administer the sales and use tax ordinance of a county which is authorized to impose, and imposes, a ½% transactions and use tax.

Ch. 673 (AB 8) Culler. Local government.

Existing law requires the inclusion in each county tax bill of, among other things, information relating to the tax rates or the dollar amounts of taxes levied by each revenue district and taxing agency on the property covered by the tax bill.

This bill would, in addition, require that a distinctive mark appear on the tax bill before the names of all special districts for which the county board of supervisors serves as the governing body.

The bill also provides that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to the act for a specified reason.

Ch. 674 (AB 766) Hart. Transportation: nonmotorized transportation facilities.

(1) Under existing law, the California Highway Commission, under specified conditions, may relinquish to a county or city any frontage or service road which has been constructed as part of a state highway project but does not constitute a part of the main traveled roadway thereof. A nonmotorized transportation facility is a facility designed primarily for the use of pedestrians, bicyclists, or equestrians, or any combination thereof.

This bill would authorize the commission to relinquish, under specified conditions, to a county or city any nonmotorized transportation facility constructed as part of a state highway project.

(2) Under existing law, the Department of Transportation is authorized to acquire real property for the construction and maintenance of bikeways.

The bill would authorize the department to do so for nonmotorized transportation facilities.

(3) Under existing law, the department is prohibited from abandoning any state highway right-of-way unless it first consults with local agencies to determine whether the right-of-way could be developed as a bikeway. If so, the department is required to first offer the right-of-way to local agencies for such development before abandoning the right-of-way.

The bill would extend the duty of the department, with respect to such rights-of-way, to the development of nonmotorized transportation facilities

(4) Under existing law, a city, county, or local agency may not abandon a right-of-way unless its governing body determines that the right-of-way cannot be used as a bikeway.

The bill would prohibit the abandonment unless the governing body determines that the right-of-way cannot be used as a nonmotorized transportation facility.

Ch. 675 (AB 1764) Calvo. Scenic easements.

Present law authorizes the Departments of Water Resources, Parks and Recreation, Fish and Game, Finance, and Transportation to acquire scenic easements and similar interests in real property in lands adjacent to the Westside Freeway and the California Aqueduct, as specified, by condemnation, and declares the public purposes thereof.

This bill would extend these powers to the acquisition of scenic easements and similar interests in real property within the coastal zone.

Ch. 676 (AB 376) Gualco. Vital statistics: marital information.

Under existing law, the State Registrar of Vital Statistics is required to keep information with respect to dissolutions of marriage, nullities, and legal separations.

This bill would repeal such existing law except the requirement (1) that a county clerk send a copy of every final decree of dissolution, legal separation, or nullity, or any orders of vacation thereof, to the State Registrar monthly, (2) that the State Registrar maintain an index of such decrees, and (3) that the petitioner pay a \$2 fee to the county clerk at entry of judgment of such final decrees. The bill would authorize the State Registrar to charge an applicant a \$2 fee for search of the records or provision of a certified copy of such decrees.

Ch. 677 (AB 263) Fazio. Mobilehomes: sales: escrow accounts.

Under existing law, every mobilehome dealer is required, upon the buyer's signing a purchase order or conditional sales contract for a new or used mobilehome, to establish an escrow account for the deposit of any cash received from the buyer at any time prior to delivery, unless a simultaneous transaction occurs in which the buyer receives delivery of a used mobilehome on the site of occupancy within 2 calendar days. No deposits may be distributed from the escrow account to dealers until the buyer receives delivery of the mobilehome on the site and it has passed inspection, if required. If no inspection is required, the deposits may be disbursed from the escrow account upon delivery of the mobilehome on the site.

With respect to the distribution of deposits, this bill would permit such distribution if the mobilehome has been delivered to the location specified in the escrow instructions and the installation is to be performed by the purchaser. The bill would permit such deposits to be disbursed from the escrow account upon delivery of the mobilehome to the buyer (rather than upon delivery on the site).

The bill would require establishment of an escrow account also if a security agreement was signed by the buyer for a new or used mobilehome.

This bill would require that the public agency performing the inspection give the buyer either a copy of the inspection report or a copy of a statement of installation acceptance and would provide that if a portion of the amount in the escrow account is for accessory structures, then that amount shall not be released until such structures are actually installed.

The bill would require the dealer, prior to close of escrow, to furnish the escrow agent with the name and address of the legal owner of, or lienholder on, the mobilehome, as shown by the certificate of ownership or the manufacturer's certificate of origin, and the signed and acknowledged release of all rights, title or interest in the mobilehome held by either the legal owner or lienholder, whichever is applicable. Any such release would be required to be conditioned upon the receipt of payment from the escrow account of the amount set forth in such release which is necessary to terminate the interest in the mobilehome.

The bill would also provide that a civil cause of action is created against a mobilehome dealer who violates any of the above provisions, and that the prevailing plaintiff in such action shall be awarded actual damages plus an amount not in excess of \$2,000 and attorney fees and court costs.

The bill would provide that no agreement shall contain any provision by which the buyer waives his rights under such provisions and that any such waiver shall be deemed contrary to public policy and shall be void and unenforceable.

This bill would also require an escrow, sale, or transfer agreement involving a mobilehome located in a mobilehome park at the time of sale, and to remain in the park, to contain a provision signed by the purchaser stating that he has agreed to the terms of a rental agreement.

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

Ch. 678 (AB 1398) Lockyer Employment services programs. youth employment and development.

Existing law requires the Employment Development Department to perform specified functions related to job training and placement programs.

This bill would, in addition, enact the Youth Employment and Development Act of 1977, which would require the department to conduct specified programs related to youth employment and development, and to conduct specified studies to develop a youth services plan, and make specified recommendations. Public and private organizations would be permitted to submit applications to the department requesting funding for projects to carry out the purposes of the bill.

This bill would also require the department to act as recipient of funds available under the Youth Employment and Demonstration Project Act of 1977 to augment state funds for the purposes of the bill, and would require the department to report to the Legislature every 6 months on its progress in implementing the bill.

This bill would remain in effect only until December 31, 1982, and as of such date would be repealed, unless a later enacted statute deletes or extends such date.

This bill would appropriate \$5,000,000 to the Employment Development Department for the purposes of the bill.

Ch. 679 (AB 1324) Nestande. Escrows.

Existing law regulates the escrow process with regard to both real and personal property.

This bill would prohibit any person from requiring, as a condition precedent to entering into any transaction involving the transfer of real property containing a single family residence, that the escrow be conducted by any specified agent.

Ch. 680 (AB 1575) Mori. Administrative adjudication: order of restitution.

Existing law, relating to administrative adjudication, authorizes administrative agencies rendering a decision affecting a right, authority, license or privilege issued or granted by such agency to include a stay of execution in such decision. The law provides that such stay of execution may be accompanied by an express condition that the party against whom the decision is rendered comply with specified terms of probation if just and reasonable in light of the findings and decision.

This bill would provide that such specified terms of probation may include an order of restitution which requires the party against whom the decision is rendered to compensate the other party to a contract damaged as a result of a breach of contract by the party against whom the decision is rendered. It would also provide for a setoff of the actual amount of damages determined and paid pursuant to these provisions in any civil action based upon the same contract.

Ch. 681 (AB 495) Chappie. Off-Highway Vehicle Fund: program expenditures.

Existing law specifies that moneys in the Off-Highway Vehicle Fund may be expended by the Department of Parks and Recreation for, among other purposes, the administration of trails, areas, and other facilities for the use of off-highway motor vehicles.

This bill would specify that moneys in the fund may also be expended in connection with the operation of such trails, areas, and other facilities.

In addition, this bill would prohibit the allocation, appropriation, or expenditure of moneys in the fund for any aspect of the activities or operations of the department that is not directly attributable to off-highway vehicle purposes.

Ch. 682 (AB 1824) Ingalls. Golden Gate Bridge, Highway and Transportation District.

(1) Under the Bridge and Highway District Act, the Golden Gate Bridge, Highway and Transportation District, with specified exceptions, is required to advertise for bids and award to the lowest responsible bidder, any contract involving the expenditure of more than \$5,000 for construction, repair, maintenance, alteration, insurance, equipment, supplies, or materials.

This bill would exempt, from the above advertising and awarding requirements, any such contract for the purchase of equipment, supplies, or materials, or for vessel repair, maintenance, and alteration work, if the expenditure involves \$20,000 or less.

(2) Under the act, the district is not required to advertise for bids and award to the lowest responsible bidder any contract for physical damage insurance covering the bridge structure itself, employee benefit insurance, or worker's compensation insurance.

The bill would exempt, from the above advertising and bidding requirements, the purchase of liability insurance by the district.

(3) Under the act, the district is authorized to rent, without advertising or competitive bidding, tools or equipment up to 30 days for emergency repairs necessitated by a physical calamity after the occurrence of the emergency.

The bill would revise the above exemption to apply to work to be contracted for such emergency repairs necessitated by a physical calamity or by any other condition which threatens imminent interruption of passenger transportation via district facilities. The 30-day period would commence either from the occurrence or discovery of the emergency.

(4) The bill would also repeal an obsolete provision regarding bond debts of the district, of which there is none.

(5) The bill would take effect immediately as an urgency statute.

Ch. 683 (AB 1736) Cordova. Attachment and execution: motor vehicle exemption.

Existing law provides that where a debtor has more than one motor vehicle the levying officer shall distribute the proceeds of an execution sale of a motor vehicle in a specified order of priority after the levying officer has notified the debtor of his intent to distribute the proceeds in such manner and of the debtor's authority to file a claim of exemption at any time prior to the distribution of the proceeds of the sale, unless the debtor does not own another motor vehicle which is safe and functional or reasonably capable economically of being made safe and functional.

Existing law also provides that the specified order of priority for the distribution of proceeds upon sale previously mentioned would be inapplicable where a claim of exemption of the debtor is sustained.

This bill would require that the levying officer's notice be given at the same time and in the same manner as the giving of the notice of sale to the debtor regardless of whether the debtor owns 1 or more motor vehicles. This bill would require that the notice inform debtor that the filing of a claim of exemption on 1 vehicle precludes the filing of a claim of exemption on any other vehicle registered in the debtor's name with regard to the judgment giving rise to the existing writ of execution. This bill would provide that the specified order of priority for the distribution of proceeds upon sale would be applicable whenever no claim of exemption is filed.

Existing law provides that any motor vehicle registered to the debtor's spouse and which is community property shall be deemed to be owned by the debtor when the debtor and the debtor's spouse reside together.

This bill would delete such provision.

This bill would make certain other related changes.

Ch. 684 (AB 1308) Bates. San Francisco Bay Area Rapid Transit District: disposal of land.

Existing law provides that a school district may override local zoning under certain circumstances.

This bill would provide that such an override would not be permitted, even if previously exercised by a school district, with respect to real property acquired by the San Francisco Bay Area Rapid Transit District from private owners when the district leases or has leased, mortgages or has mortgaged, sells or has sold, or disposes or has disposed of, such property to the school district. In such a case, the city, or county in unincorporated areas, would retain zoning and permit powers.

Ch. 685 (AB 1867) Imbrecht. Unlawful detainer.

Under existing law in an unlawful detainer action, if an issue of fact is to be tried, proof must be made to the satisfaction of the court that the adverse party has had 5 days' notice of trial, and notice of trial, served by mail on all of the parties by the clerk, must be made at least 5 days prior to the date set for trial. If notice is not served by the clerk, any party may serve the notice by mail at least 5 days prior to the date set for the trial.

This bill would require in such actions that proof be made to the satisfaction of the court that the adverse party has had 5 days' notice of trial, and the notice of trial, served by mail on all parties by the clerk, must be mailed not less than 10 days prior to the date set for trial. If notice is not served by the clerk, any party may serve the notice by mail not less than 10 days prior to the date set for trial.

The bill also incorporates additional amendments to Section 594 of the Code of Civil Procedure proposed by Assembly Bill No. 1941 to become operative if both bills are chaptered, and this bill is chaptered last.

Ch. 686 (AB 1873) Wray. Property taxation.

Under existing law, under specified conditions, property which is owned by a nonprofit corporation and leased to, and used exclusively by government is exempt from property taxation.

This bill would specifically include water and wastewater facilities within the definition of such property to be exempt from taxation if the specified conditions are met, and would revise the definition of government to include a public corporation.

This bill would also provide that notwithstanding Sections 2229 and 2231 of the Revenue and Taxation Code, there shall be no reimbursement nor appropriation made by this bill for specified reasons.

The bill would take effect immediately as an urgency statute.

Ch. 687 (SB 79) Nejedly. Peace officers.

Under existing law, certain peace officers other than designated peace officers of the Department of Forestry or the Department of Parks and Recreation may close to unauthorized persons an area where a menace to the public health or safety is created by a calamity.

This bill would extend the authority to so close such areas to designated peace officers of the Department of Forestry and the Department of Parks and Recreation. It would also extend authority to designated peace officers of the Department of Forestry to close the immediate area surrounding any emergency field command post or other command post activated to abate a calamity.

Under existing law, there is a specific exemption of designated peace officers and public officers from provisions requiring a permit for the purchase, possession, or transportation of tear gas weapons.

This bill would exempt all categories of peace officers, and would delete any such exemption for public officers who are not peace officers, from the provisions requiring permits for the purchase, possession, or transportation of tear gas weapons.

Ch. 688 (AB 1120) Alatorre Workers' compensation: dependency.

Existing law specifies that the presumptions concerning dependency, for purposes of the workers' compensation law, upon deceased employees shall not apply in favor of aliens who are nonresidents of the United States at the time of injury.

This bill would repeal such provision.

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for costs incurred by it pursuant to this act.

Ch 689 (SB 424) Nejedly. Solid waste management.

Under existing law each county is required to prepare a comprehensive, coordinated, solid waste management plan consistent with state policy and any appropriate regional or subregional solid waste management plan.

This bill would require the Association of Bay Area Governments to prepare a regional solid waste management plan for the San Francisco Bay Area to be based primarily on county solid waste management plans approved by the State Solid Waste Management Board.

The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason.

Ch. 690 (SB 305) Johnson. House cars and campers: burglary, arson, discharge of firearms.

Existing law defines burglary as the entry into various premises with the intent to commit larceny or a felony

This bill would add house cars and campers, as defined, to such premises.

Existing law makes it a felony to maliciously and willfully discharge a firearm at an inhabited dwelling house or occupied building or occupied motor vehicle and provides that any person who willfully and maliciously sets fire to or burns or causes to be burned or who aids, counsels, or procures the burning of various premises is guilty of arson.

This bill would add house cars and campers, as defined, to such premises, vehicles, or buildings with respect to the commission of such crimes. This bill would, with respect to such crimes, define inhabited to mean currently in use for dwelling purposes whether occupied or not.

This bill would provide that there shall be no reimbursement or appropriation made pursuant to the bill for a specified reason.

Ch. 691 (AB 1595) Lanterman. Mental health: criminal defendants.

(1) Existing law provides variously for outpatient treatment or confinement in a state hospital or other mental health facility of defendants found mentally incompetent or not guilty by reason of insanity.

This bill would make certain additional procedural requirements respecting commitment to mental health facilities, recordkeeping, notification, and return of defendants to state hospitals.

(2) Existing law provides for parole or outpatient treatment of persons committed to a state hospital or other facility.

This bill would delete provisions authorizing parole from a state hospital or other facility to the county mental health director, and would provide procedures for return to inpatient status of persons on parole similar to existing provisions respecting return of outpatients.

(3) Existing law provides for reimbursement for certain conservatorship expenses in cases of mentally incompetent defendants, persons not guilty by reason of insanity, and mentally disordered jail and juvenile detention facility inmates.

This bill would delete the reimbursement for jail and juvenile detention facility inmates

(4) Existing law requires the Director of Health to conduct a study to compare the relative cost and duration of treatment between those patients committed to state hospitals and those committed to other facilities or placed on outpatient treatment pursuant to law, and to report his findings to the Legislature by January 1, 1978.

This bill would add the category efficacy of treatment, including the effect of treatment on subsequent criminal behavior, and would extend the deadline to July 1, 1979,

and requires the director to submit a progress report on his study to the Legislature on January 15, 1978 and January 1, 1979.

Existing law requires a court-ordered evaluation by the county mental health director or his designee for the purpose of recommendations regarding placement of persons found to be incompetent to stand trial, not guilty by reason of insanity, or mentally disordered sex offenders, for treatment in a state hospital, local facility, or outpatient treatment facility.

This bill would prohibit the admission of such persons to a state hospital, local facility, or outpatient treatment facility until such an evaluation by the county mental health director or his designee is completed.

Finally, the bill would provide that no appropriation is made to local agencies under its provisions for a specified reason.

Ch. 692 (SB 560) Song. Community property

Existing law provides that a spouse may not make a gift of community personal property or dispose of community personal property without a valuable consideration.

This bill would modify the above prohibition by also requiring a spouse to obtain the written consent of the other spouse

Existing law provides that the provisions of Chapter 1206 of the Statutes of 1974 shall not apply to or affect any act or transaction which occurred prior to January 1, 1975

This bill would provide instead that the provisions of Section 5116 of the Civil Code, relating to the liability of community property for contracts of either spouse made after marriage and prior to January 1, 1975, shall not be construed to alter or modify or to otherwise affect the legal effect of any act or transaction which occurred prior to January 1, 1975.

Ch. 693 (SB 552) Ayala. Food and agriculture: milk testing.

Under existing law, the Director of Food and Agriculture may allocate for any fiscal year up to \$85,000 from certain fees collected from distributors of milk, as specified, to be used to supervise and check the correctness of the milk fat, milk solids not fat, and bacteriological tests, weighing, and sampling of all fluid milk delivered to distributors pursuant to stabilization and marketing plans.

The bill would increase the maximum amount which the director is authorized to allocate for any fiscal year for such supervision and checking to \$95,000. Since such money would be allocated from the Department of Agriculture Fund, a continuously appropriated fund, the increase in the maximum amount authorized to be allocated from such fund would be an appropriation.

Ch. 694 (SB 543) Holmdahl. Inheritance taxes: transfers in trust.

Under existing provisions of the Inheritance Tax Law, a gift of a power of appointment made in conjunction with a disposition of property is generally treated as a taxable transfer from the donor to the donee at the date of the donor's death. However, if under the terms of a transfer in trust, a trustee is granted a power limited to making discretionary payments for the benefit of a trust beneficiary other than the trustee, such transfer in trust is treated as a transfer to the trust beneficiary and is not treated as a power of appointment.

This bill would specify that a transfer in trust whereby such power of making payments for the benefit of the trust beneficiary granted to such trustee shall be treated as a transfer to the trust beneficiary rather than as a power of appointment, even though the discretion of the trustee is absolute and includes the power to terminate the trust.

This bill would take effect immediately as a tax levy.

Ch. 695 (AB 1722) Larnterman. Trial incompetency: developmental disability.

Existing law provides procedures for determination and restoration of the mental competence of criminal defendants to stand trial who suffer from mental disorder or from a developmental disability, with generally separate procedures as to the latter.

This bill would recast the language with respect to developmental disabilities to continue certain distinctions between the procedures for mentally disordered and developmentally disabled persons, such as the examination, reporting and treatment role of the regional center for developmental disabilities rather than the county mental

health director who performs such functions with respect to mentally disordered defendants, but to generally eliminate the distinctions and separate provisions which apply as between developmentally disabled and other mentally incompetent defendants.

Ch. 693 (SB 582) Nimmo. Milk inspection services. fees' records.

The existing law authorizes any city or county, or group of either or both, to maintain an approved milk inspection service and to levy and collect an inspection fee or fees for such purpose from distributors of market milk which is produced at dairy farms, or processed and handled at milk products plants, or both, within designated areas.

This bill would, instead, authorize any such city or county, or group of either or both, to levy and collect an inspection fee or fees for the purpose of maintaining such milk inspection service from producers of market milk which is produced at dairy farms, or from distributors of market milk which is processed and handled at milk products plants, or both, and would make conforming changes. It would require any such city or county, or group of either or both, to make and maintain records of determination of the cost of making an inspection of such dairy farm or milk products plant for examination by the Director of Food and Agriculture or other interested persons.

Under the existing law, the director establishes inspection fees under the jurisdiction of an approved milk inspection service and which are under protest. Also, the director is required to establish inspection fees, of not to exceed a prescribed amount, to be payed by persons engaged in the production, sale, or distribution of market milk outside the jurisdiction of any approved milk inspection service

This bill would require the director to make and maintain written findings upon which such inspection fees are established and would require that such findings be readily available to any interested person for examination

The bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch 697 (SB 636) Rodda. Architecture.

Existing law specifies the maximum fees which may be fixed by the California State Board of Architectural Examiners for architects and for building designers.

This bill would increase such maximum fees for an application for examination to obtain an architect's certificate, for the renewal thereof, and for the delinquency fee for late renewals. The bill would delete the fee for a temporary certificate as an architect and would provide that the fee for an application for reciprocity as an architect is not to exceed \$100.

The bill would delete the application fee for registration as a building designer and the fee for original registration to practice building design. The bill would also delete the annual renewal fee for architect certificate holders and for registration to practice building design and would specify that the biennial renewal fee is not to exceed \$100. The bill would also increase the delinquency fee for architects and building designers from \$5 to 50% of the biennial renewal fee, but not more than \$25 and would add a fee for a duplicate registration to practice building design.

Ch 698 (AB 1550) Duffy. Medi-Cal utilization controls

Existing law specifies those Medi-Cal services which are subject to utilization controls, and specifies which controls may be provided.

This bill would add as a permissible utilization control reviews of inpatient and other health services conducted by licensed professional persons known as Professional Standards Review Organizations, as such organizations are defined in, and authorized by, federal law. The bill would also authorize the department to enter into agreements for review of services to beneficiaries whose health care is funded solely from state or local sources.

Ch. 699 (AB 1282) Dixon. School districts' community college districts: certificated employees. qualifications.

Under current law, governing boards of school districts and community college districts are authorized to employ persons in positions requiring certification qualifications and no governing board of any school district or a county board of education or a county

superintendent of schools or other appointing authority shall require a credential or specify certification qualification, per se, as a prerequisite for employment in any position which does not by statute require credentials.

This bill would, instead, prohibit such a governing board, county board of education, or county superintendent of schools or other appointing authority from requiring an employee or applicant to possess any certification, license, or other credential unless the possession of such a certification, license, or other credential is required by statute or is based upon a bona fide occupational qualification.

This bill would also make such action an unfair labor practice and would state a legislative intent that persons in positions for which additional certification requirements were made shall be deemed certificated employees in positions requiring certification qualifications for as long as they hold such positions.

Ch. 700 (SB 823) Greene. Telecommunication facilities for deaf persons.

Existing law provides that blind persons, visually handicapped persons, deaf persons, and other physically disabled persons are entitled to full and equal access to accommodations, advantages and facilities.

This bill would specify telephone facilities among the facilities to which such persons are entitled full and equal access to

Ch. 701 (SB 640) Smith. Local elections: ballot arguments.

In connection with the conduct of city and certain district elections, existing law provides for the submission of arguments in favor and of arguments against city initiative measures, city measure, and district initiative measures.

This bill would permit such local entities to allow for the submission of rebuttal arguments.

Ch. 702 (SB 791) Smith. California State University and Colleges. auxiliary organizations.

Chapter 1419 of the Statutes of 1976 requires the regulations of the Trustees of the California State University and Colleges to require the governing board of each auxiliary organization to provide retirement and permanent status benefits to persons employed by a foundation qualifying as an auxiliary organization for at least 3 consecutive years.

This bill would provide that such regulations may permit retirement benefits or permanent status benefits or both to be withheld from temporary and executive employees, as defined, of each auxiliary organization, and that such regulations may exempt from the requirement of providing retirement benefits any auxiliary organization that is funded primarily by mandatory student fees collected by the trustees.

This bill would delete the provision that such retirement and permanent status benefits apply only to persons employed by a foundation qualifying as an auxiliary organization for at least 3 consecutive years, and, instead, would permit such regulations to exempt the governing board of any newly created auxiliary organization from the requirement of providing retirement benefits for a period not to exceed 3 years from the date such organization is established.

It would also take effect immediately as an urgency statute.

Ch. 703 (AB 1286) Mori. Landscape architects

Under existing law the renewal fee for a certificate as a landscape architect is not to exceed \$75.

This bill would increase the maximum renewal fee to \$120

Ch. 704 (SB 777) Sieroty. Personal property brokers.

Existing law provides that personal property brokers' licenses are not transferable or assignable.

This bill would provide that a license issued to a partnership is not deemed transferred or assigned by the resignation of existing partners or by the admission of the new partners, or as such resignation or admission dissolves the partnership and the partnership or its successor in interest continues to make loans.

Existing law provides for suspension or revocation of a license, upon notice and hearing, if the licensee has failed to maintain bonds required by the Personal Property Brokers Law.

This bill provides for such suspension or revocation by a summarily issued order of the Commissioner of Corporations.

It would also repeal certain obsolete provisions of law with regard to military service.

Ch. 705 (SB 713) Marks. Teachers' Retirement System, State: membership.

Existing State Teachers' Retirement Law permitted credentialed members of the San Francisco City and County Employees' Retirement System on June 30, 1972, to make an irrevocable election to be covered by that system or the State Teachers' Retirement System.

This bill would permit the Teachers' Retirement Board and the governing bodies of the San Francisco Unified School District and the San Francisco Community College District to enter into an agreement to again permit such credentialed employees to elect to be covered by the State Teachers' Retirement System prior to July 1, 1978. The districts would be required to pay the full costs of any transfer and any unfunded liabilities with respect to such employees.

Ch 706 (SB 711) Alquist. Conflicts of interest.

Existing law provides that a nonsalaried member of a nonprofit corporation has a remote interest in a contract entered into by a public body or board of which he is a member and such nonprofit corporation. Such remote interest shall not disqualify him from membership on the public body or board if his interest is disclosed to the body or board of which he is a member, noted in its official records, and thereafter the body or board ratifies the contract by a sufficient vote, without counting the vote of the interested member.

This bill would delete this remote interest exception and instead provide that such an interest is one which shall not be deemed to disqualify such a public officer or employee from serving on the public body or board or from voting on such a contract, provided that such interest is disclosed to the public body or board at the time of the first consideration of the contract and that such interest is noted in its official records.

Ch 707 (SB 912) Mills. State Historical Buildings Code.

Under existing law, state agencies and local building authorities are required to administer and enforce alternative building regulations for the rehabilitation, preservation, restoration, or relocation of qualified historical buildings or structures.

This bill would authorize, rather than require, state agencies and local building authorities to administer and enforce the alternative building regulations.

This bill would provide alternative building regulations for reconstruction of qualified buildings and structures. The bill would change the definition of a qualified historical building or structure to include associated sites.

This bill would authorize the State Historical Buildings Code Advisory Board to adopt, amend, and repeal alternative rules and regulations under the provisions of the State Historical Building Code unless a state agency having jurisdiction files a written objection with the State Building Standards Commission prior to its approval.

This bill would take effect immediately as an urgency statute.

Ch 708 (SB 1066) Wilson. Evidence: documents.

Existing law establishes the best evidence rule, which provides that no evidence other than the writing itself, with certain exceptions, is admissible to prove the content of a writing.

This bill would revise the best evidence rule to refer to the original of a writing, as defined, rather than the writing itself, and provide for the admissibility of a duplicate of a writing, as defined, under specified circumstances.

Ch. 709 (SB 170) Roberti. Personal and confidential information.

Existing statutory law does not generally contain safeguards or restrictions on obtaining, maintaining, using, or disclosing information about an individual which is not in a public record, although the existing California Constitution specifies privacy as one of the inalienable rights of all people in the state. Existing law does, however:

(a) Regulate the examination or acquisition by state or local agencies of financial records of a customer, except in specified circumstances and by specified procedures.

(b) Provide for the examination by an individual of state summary criminal history information records relating to such individual.

(c) Require that any contract entered into by the Department of Finance, any state agency, or any consolidated data center, concerning data processing systems design, programming, documentation, conversion, and other aspects of data processing operations, to contain a provision requiring the contractor and all of his staff working under such contract to maintain all information obtained as a result of such contract as confidential and not to divulge such information to any other person or entity.

(d) Authorize every employee of a state university or college the right of access to all reports, documents, correspondence, and other material which pertain to the employee and are kept by the university or college and to request corrections or deletions, as warranted.

(e) Authorize employees to inspect personnel files which are used or have been used to determine the employee's qualifications for employment, promotion, additional compensation, or termination or other disciplinary action.

This bill would do each of the following:

(a) Make legislative findings that the right to privacy guaranteed under the State and Federal Constitutions is being threatened; that technology has greatly magnified the potential risk to individual privacy; and that it is necessary that the maintenance and dissemination of personal information maintained by state agencies be subject to strict limits.

(b) Establish an Office of Information Practices in the Executive Office of the State Personnel Board to administer the provisions of this bill.

(c) Not apply to records containing nonpersonal information, as defined.

(d) Require each state agency maintaining a system of records, as defined, containing personal or confidential information, as defined, to file with the Office of Information Practices a notice containing particular information concerning each system of records maintained by the agency.

(e) Require state agencies to, among other things, (1) maintain personal or confidential information only if necessary and relevant to accomplish a constitutional or statutory or federally mandated purpose; (2) collect such information directly from the individual who is subject thereof if practicable; (3) maintain all such records with accuracy, relevance, timeliness and completeness; and (4) disclose to individuals asked to supply information various details regarding the agency, the purpose of and authority for obtaining the information, whether disclosure is optional, and the consequences of failing to comply.

(f) Prohibit the disclosure of personal and confidential information except where a particular disclosure would be consistent with one of several specified conditions.

(g) Require an accounting to be made of particular disclosures. The accounting would include the date, nature, and purpose of the disclosure and the name, title, and business address of the person or agency to whom the disclosure was made.

(h) Permit individuals to inquire and be notified as to whether an agency maintains records containing personal information about such individual.

(i) Authorize access by an individual to records containing personal information about such individual.

(j) Permit an individual to request that an amendment be made to records containing personal information and permit an individual to request a review of a refusal by an agency to amend a record.

(k) Permit an individual to request a review of an agency determination that a particular record contains confidential information.

(l) Permit an individual to file a civil action against an agency where an agency fails to make a review of an individual's request that a record be amended, where an agency refuses to permit an individual access to any record pertaining to such an individual, and where the failure of an agency to comply with this bill results in an adverse effect upon the individual. The bill also specifies recoverable damages, and provides that the rights and remedies set forth therein are nonexclusive and are in addition to all those rights and remedies which are otherwise available.

(m) Specify penalties for certain willful violations of the bill.

This bill would require agencies to insure that no record containing personal or confidential information is modified, transferred, or destroyed to avoid compliance with any of the provisions of the act and would authorize an individual to bring a civil action in accordance with specified provisions in the event that a state agency failed to comply

with such provisions

The bill also would provide that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant to the bill because the Legislature recognizes that during any legislative session a variety of changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government entities and school districts which, in the aggregate, do not result in significant identifiable cost changes.

The bill would, except for those provisions requiring state agencies to insure that no record containing personal or confidential information is modified, transferred, or destroyed to avoid compliance with any of the provisions of the act and those relating to reimbursement of local agencies, become operative on July 1, 1978

Ch. 710 (AB 1497) Dixon. Small business preference.

Present law provides a procedure for the granting of a small business preference to qualifying small businesses for state procurements and contracts of the Office of Architecture and Construction, and provides for certain assistance to be rendered by the Office of Small Business Procurements and Contracts

This bill would do all of the following

(1) Remove the requirement that the Director of General Services consider the number of employees when making a detailed definition of "small business" for these provisions.

(2) Change the reference of Office of Architecture and Construction to Office of the State Architect

(3) Delete a specific reference to certain regulations of the department relating to prequalification of vendors.

(4) Change the reference to Office of Small Business Procurements and Contracts to Small Business Office.

(5) Require that a contractor applying for a small business preference submit the required information under penalty of perjury.

(6) Provide for specified penalties to be assessed against a business which obtains classification as a small business by reason of having furnished incorrect supporting information and which by reason of such classification is awarded a contract to which it would not otherwise have been entitled

Ch. 711 (SB 147) P. Carpenter Council on Intergroup Relations.

Existing law contains no express provisions providing for a Council on Intergroup Relations to be appointed by the Lieutenant Governor.

This bill would provide for a Council on Intergroup Relations to be appointed by the Lieutenant Governor consisting of not more than 25 persons selected by the Lieutenant Governor who are representative of the emerging groups, as defined, in California.

The council would be required to meet at least once every 4 months to discuss, compare, and evaluate individual group or shared problems and concerns in such fields as education, employment, language, culture, and other matters concerning Californians from the emerging nations as defined

The provisions of the bill would remain in effect only until January 1, 1983, and on such date would be repealed unless a later enacted statute chaptered before such date deletes or extends such date.

The bill would appropriate \$10,000 to the Lieutenant Governor for the purpose of paying expenses for council members.

Ch. 712 (SB 995) Nunmo. Municipal courts: San Luis Obispo County.

Existing law makes provision for the selection of trial jurors from specified territory for the municipal court district established in San Luis Obispo County.

This bill would authorize the jury commissioner of the municipal court in San Luis Obispo County to use discretion in selecting trial jurors from outside such boundaries under specified circumstances

Existing law specifies the compensation for municipal court personnel in San Luis Obispo County.

This bill would increase the salaries of specified municipal court personnel in San Luis Obispo County

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 713 (AB 1621) McVittie. Milk and dairy products: price filing.

The existing law, generally, requires every distributor, as defined, to file, with the Director of Food and Agriculture, schedules, and any amendments thereto, which set forth the prices at which he is selling, offering, or agreeing to sell in a marketing area market milk, market cream, and various designated dairy products, and provides that such prices shall not become effective until the 7th day after filing. It requires the director, upon receipt of such filings, to date, file, and index them in such manner that the information be kept current at all times, and permits, under prescribed conditions, any other distributor to meet any such prices if he files with the director schedules of prices, as prescribed.

This bill would repeal such provisions and require every distributor to file with the director schedules, and any amendments thereto, which set forth the prices at which such distributor is selling, or offering or agreeing to sell, at wholesale, market milk, market cream, and various designated dairy products. It would also provide for the adoption of regulations on price filing by the director and designate various matters that the regulations may provide for.

The bill would also permit such regulations to require that the schedules of filed prices, and amendments thereto, be confidential and not divulged, except if necessary for the proper determination of any court proceeding or hearing before the director.

It would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch. 714 (AB 1173) Vasconcelos. Community College Fund for Instructional Improvement.

Existing statutes do not provide for a Community College Fund for Instructional improvement.

This bill would create the Community College Fund for Instructional Improvement to be administered by the board of governors to support specified programs; express legislative findings and declarations; require direct award loans and grants therefrom to faculty members, students, and administrators submitting project proposals, as specified; transfer to the Community College Fund for Instructional Improvement specified sums of money to administer projects, support programs, support direct grants, provide loans for specified fiscal years; and provide for loan repayment by withholdings from state aid apportionments during a specified 3-year period.

Existing law prescribes various procedures and limitations for the computation of average daily attendance at community colleges and for the scheduling and conducting of community college classes.

This bill would extend the authorization to operate a pilot program in six selected community college districts for alternative course scheduling and attendance computation to July 1, 1980, and would additionally specify that such a program exist in the Cabrillo Community College District in lieu of other specified provisions relating to attendance computation.

Ch. 715 (SB 1079) Robbins. State office building: construction.

This bill would direct the Department of General Services to acquire land for the construction of a state-owned office building in close proximity to the San Fernando Valley Civic Center in Van Nuys. It would authorize the department to dispose of certain other vacant property as part of a trade to acquire property meeting the specifications contained in this bill.

The bill also provides that property acquired pursuant to the act shall be subject to the provisions of the Property Acquisition Law.

Ch. 716 (AB 284) Fazio. State employees: upward mobility.

The existing law provides that the State Personnel Board shall devise plans for and cooperate with appointing powers in the conduct of employee training programs to improve the quality of state civil service, with the board prescribing conditions for

employee out-service training, and employee reimbursement for tuition fees and necessary expenses for out-service training relevant to career development in state service.

The existing law provides that the board shall devise plans for and cooperate with appointing powers in counseling, training, and placement programs for employees to prepare them for placement in other state civil service positions when their positions have been, or are about to be, changed substantially or eliminated by technological or other management-initiated changes.

This bill would declare the legislative intent to aid the implementation of affirmative action programs in state agencies and departments by creating an effective upward mobility program for state employees in low-paying occupations.

This bill would require all departments and agencies of state government to establish an effective program of upward mobility for occupational groups, including, but not limited to, specified classes, as defined by the State Personnel Board.

This bill would require all upward mobility programs to include annual goals and timetables, which include the number of employees expected to progress from clerical and subprofessional positions to entry level technical, professional, and administrative positions within a specific time frame, and would require the State Personnel Board to approve such goals and timetables.

This bill would permit any department or agency which is unable to achieve the goals and timetables to request a reduction from the State Personnel Board, and would require the board, upon a determination that a good faith effort has not been made, to hold public hearings to determine the reasons for, and to establish a program to overcome, such deficiencies.

This bill would require departments, in developing upward mobility programs, to endeavor to provide, to the greatest extent possible, specified opportunities for employees.

This bill would require the State Personnel Board to submit an annual report to the Legislature describing the performance of each department and agency pursuant to this bill.

This bill would require the State Personnel Board to prepare written guidelines for implementation of the upward mobility program within 6 months from the effective date of the bill.

Ch 717 (AB 300) Rosenthal. Hearing aid dispensers.

Existing law does not require holders of hearing aid dispenser's licenses to engage in continuing education as a condition for renewal of such license.

This bill would require that on and after January 1, 1979, all holders of a hearing aid dispenser's license shall continue their education as a condition to the renewal of such license.

Existing law establishes various licensing fees for hearing aid dispensers.

This bill would revise such fees as specified and would delete the temporary license fee for an employee applicant.

Ch. 718 (AB 309) McVittie. Adoption.

Existing law provides several procedures for the adoption of a child. Adoptions may be arranged: (a) through a licensed child-placing agency which joins in the petition for adoption; (b) by means of a so-called "independent" adoption where no licensed child-placing agency is involved, or (c) as a so-called stepparent adoption.

This bill would make it unethical for an attorney to undertake the representation of both the prospective adopting parents and the natural parents of the child in any negotiations or proceedings in connection with an adoption unless a written consent is obtained from both parties. Such provision would be inapplicable to an adoption in which a licensed child-placing agency joins in the petition or to a stepparent adoption.

It also would authorize the court, upon petition of any party, to appoint an attorney to represent the natural parent or parents of a child in negotiations or proceedings in connection with the child's adoption.

Ch 719 (AB 1042) Duffy. Medi-Cal.

Under existing law the Director of Health is authorized to enter into nonexclusive contracts providing arrangements under which funds available for health care pursuant to Medi-Cal are administered and disbursed to providers of health care or their agents for services or supplies, subject to certain mandatory conditions.

This bill would add the following as optional conditions for inclusion in contracts: (1) that payments to the contractor be on a capitation or prepayment basis, or on a combination of both methods of payment; (2) that providers may assume all or part of the risk of utilization of services, or costs of services, or both, and that providers who agree to assume such risk may be separately classified for purposes of applicable rates of payment or administrative requirements; and (3) such other provisions as have previously been incorporated into pilot programs established pursuant to the state law governing prepaid health plans and determined by the director to be desirable and feasible.

Also under existing law, the director is required to contract with institutional providers, counties, or other organizations to establish pilot programs to study alternate methods of financing, under certain conditions, up to a maximum 4-year period.

This bill would provide that where the director finds that he is not able to evaluate a pilot program before it is concluded, or where he recommends implementation of a pilot program on a permanent basis but cannot so implement it immediately, he may extend the program until such evaluation or permanent implementation is accomplished.

Existing law requires the director, when entering into or renewing a pilot program, to make available to the Health Care Commission a statement of objectives, program proposal, pilot program contract and other details regarding the program 60 days prior to the public hearing.

This bill would delete such requirements.

Ch. 720 (AB 1019) Pazio. Provisional remedies.

In the absence of the pendency of a proceeding for judicial determination of a void or voidable marriage, or for dissolution of marriage or legal separation, existing law makes no express provision for the granting of a restraining order to curtail actual or threatened violence arising out of a marital relationship and makes no express provision for the granting of a restraining order to curtail actual or threatened violence arising out of other domestic relationships.

This bill would expressly authorize a court to grant a temporary restraining order with or without notice to restrain any person upon a showing of reasonable proof of a past act or acts of actual violence resulting in physical injury, for the purpose of preventing a recurrence of actual violence arising out of a marital or other domestic relationship and to assure a period of separation of the parties involved. A temporary restraining order could be granted, not to exceed 30 days, in the case of a marital relationship, notwithstanding that a petition for legal separation, annulment, or dissolution has not been filed. If such temporary restraining order is granted without notice, the party against whom the order is granted would be permitted to obtain an order to show cause why the order should not be dissolved on the earliest date the court business will permit, not later than 15 days, or, if good cause appears to the court, 20 days from the date the order is granted.

The bill also would require the county clerk to transmit a copy of the temporary restraining order, or extension, modification or termination thereof, to the appropriate local law enforcement agency. Local law enforcement agencies would be authorized to make available information as to the existence and current status of such temporary restraining orders to officers responding to the scene of reported domestic violence.

Ch. 721 (AB 1094) Turman. Contractors.

Under existing law, where the State Contract Act applies, a general contractor is required to promptly pay his subcontractors within 10 days of receipt of each progress payment, unless otherwise agreed in writing by the parties, the respective amounts allowed the contractor on account of the work performed by his subcontractors, to the extent of each such subcontractor's interest therein.

This bill, in addition, would impose the same requirement upon prime building contractors as to all other public works of improvement and as to all private works of

improvement A violation of such requirement by a prime building contractor would constitute a cause for disciplinary action.

Ch 722 (AB 1251) Duffy. Physician's assistants: fees

Existing law provides for various fees to be paid by physicians and physician's assistants including a provision that an examination fee not to exceed \$50 must be charged each physician's assistant for each certification examination.

This bill would generally revise such fees by providing that the Physician's Assistant Examining Committee shall fix such fees in amounts not to exceed specified increased amounts. This bill would delete the provision that an examination fee not to exceed \$50 must be charged each physician's assistant for each certification examination.

Ch 723 (AB 1259) Hayden. Vehicles: proof of financial responsibility security deposit.

Existing law, generally, requires every driver of, and owner of, a motor vehicle to maintain a form of financial responsibility. Every driver and owner of a motor vehicle involved in an accident is required to file with the Department of Motor Vehicles, and thereafter to maintain for 3 years, proof of financial responsibility. Proof of financial responsibility may, among other ways, be established by depositing cash with the Department of Motor Vehicles in a specified amount.

This bill would provide for the refund of any such cash remaining on deposit after a period of 3 years has elapsed following the accident, if the director is satisfied that there are no outstanding or pending claims against the deposited cash. If any refundable deposit remains unclaimed for 5 years, such deposit would be transferred to the Motor Vehicle Account in the Transportation Tax Fund. In addition, the bill would provide that any such deposit made prior to January 1, 1975, which is not claimed by December 31, 1978, shall be transferred to such account, if the director is satisfied that there are no outstanding or pending claims against the deposited cash (these provisions would remain in effect only until December 31, 1978). The money transferred to such account could ultimately be deposited in the State Highway Account in the State Transportation Fund, which is continuously appropriated; and, therefore, the bill would make an appropriation.

Ch 724 (AB 1412) Gage. Electronic and appliance repair dealers

Existing law provides for fees to be set by the Director of Consumer Affairs for the registration of dealers who repair, service, or maintain various specified electronic equipment, including antennas or rotators, or appliances at not less than \$25 nor more than \$50 for each place of business. If a dealer repairs and maintains both such electronic equipment and appliances, the registration fee may be set at not more than \$100.

This bill would delete the \$25 minimum as to dealers who repair, service, or maintain either electronic equipment or appliances, and would increase the maximum fee as to such dealers from \$50 to \$75 and would increase the maximum fee of \$100 as to dealers who repair or maintain both electronic equipment and appliances to \$150.

Existing law provides for fees to be set by the Director of Consumer Affairs for the annual renewal of service dealer registration of dealers who repair, service, or maintain specified electronic equipment or appliances at not less than \$25 nor more than \$50 for each place of business. If a dealer repairs and maintains both such equipment and appliances the renewal fee may be set at \$75.

This bill would delete the \$25 minimum as to dealers who repair, service, or maintain either electronic equipment or appliances, and would increase the maximum fee as to such dealers from \$50 to \$75, and would increase the maximum fee of \$75 as to dealers who repair or maintain both electronic equipment and appliances to \$125.

Existing law also provides for a delinquency fee in an amount equal to 50% of the renewal fee in effect on the last preceding regular renewal date.

This bill would revise such delinquency fee to be 50% of the renewal fee in effect on the date of renewal, except as otherwise specified.

Ch 725 (AB 1493) Arnett. Crimes

Under existing law, it is a crime to possess a device with intent to feloniously break or enter into a building, as defined, or to knowingly make or alter a key or device to open

the lock of a building, as defined, unless requested to do so by a person having the right to open the building.

This bill would delete mines from inclusion in such definition, for the purpose of the prohibition against breaking and entering, and the prohibition against making or altering a key or device, and make a technical change with respect to such law.

This bill would provide that there shall be no reimbursement or appropriation pursuant to this bill for a specified reason.

Ch. 726 (AB 1490) Arnett. Mental health.

Under the existing Short-Doyle Act, the chairman of the governing body of a city or county may designate one of its members to serve in place of the chairman as a member of the advisory board of the community mental health service. It specifies that the membership of the advisory board shall be increased by 2 where 2 local agencies jointly establish a community mental health service, and requires that 1 of such additional members shall be the chairman of the second governing body such that the chairmen of both agencies are members.

This bill would instead permit the governing body to designate a person of its choice who would not qualify as a professional member of the board to serve instead of the chairman as a member of the advisory board. It would revise the provisions respecting additional membership of the advisory board where 2 local agencies jointly establish a community mental health service to specify that 1 of such additional members shall be the chairman of the second governing body or a person designated by such second governing body who does not qualify as a professional member.

Ch. 727 (AB 1841) Cordova. School and community college districts: district aid.

Under current law, a school district may annually request the Superintendent of Public Instruction and a community college district may annually request the Chancellor of the California Community Colleges to exclude from the district's assessed valuation the assessed valuation of redevelopment property for which the district is receiving reduced tax proceeds.

This bill would specify that such requests would remain in effect from year to year until revoked by the governing board of the district and would require governing boards to notify the Superintendent of Public Instruction when the redevelopment project is terminated or changed.

Under current law, the governing board of a school district or a community college district may request that the district aid of the district for apportionment purposes be computed taking into account assessed valuation with respect to which tax proceeds have been impounded.

This bill would specify that such requests would remain in effect from year to year until revoked by the governing board of the district.

Ch. 728 (AB 1866) Imbrecht. Pleasant Valley County Water District.

Existing statutory law provides for county water districts of specified powers. Existing statutory law also provides that, notwithstanding any other provision of law, in the Pleasant Valley County Water District, voting shall be only by landowners, who need not be residents of the district. Existing statutory law also provides that the last equalized county assessment roll is conclusive evidence of ownership of the real property in the district.

This bill would weight the landowner voting to 1 vote for each \$100 of assessed valuation of land, exclusive of improvements, minerals, and mineral rights therein, to which such landowner had title, and would provide that the last equalized assessment roll is conclusive evidence of such value.

The bill would declare that there are no state-mandated local costs within the meaning of Section 2231 of the Revenue and Taxation Code imposed on local governmental entities by the bill.

The bill would take effect immediately as an urgency statute.

Ch. 729 (AB 696) Torres. Public Employees' Retirement System: membership.

Existing Public Employees' Retirement Law authorizes inclusion of various specified public agencies in the Public Employees' Retirement System.

This bill would authorize a public or private nonprofit corporation which operates an independent living center, which receives the approval of the retirement board, and which provides specified services for severely handicapped people, to contract to be included in the system.

Ch. 730 (AB 1860) Lanterman. Postsecondary education.

Under existing law, any member of the California Postsecondary Education Commission who in any calendar year misses more than $\frac{1}{4}$ of the meetings of the commission forfeits his office.

This bill would, instead, provide that any member who in any calendar year misses more than $\frac{1}{2}$ of the meetings of the full commission forfeits his office.

Existing law provides that effective action by the commission requires the affirmative vote of a majority of all the members of the commission and the affirmative votes of $\frac{2}{3}$ of all the members of the commission to appoint the director.

This bill would, instead, provide that effective action by the commission requires the affirmative vote of a majority of all the duly appointed members, not including vacant commission seats, and the affirmative votes of $\frac{2}{3}$ of all the duly appointed members not including vacant commission seats, to appoint the director.

Existing law requires that the acquisition or construction of non-state-funded community college institutions, branches, and off-campus centers be reported to the commission.

This bill would additionally provide that proposals for such acquisition or construction be reported to the commission. It also would authorize the commission to review and comment upon such proposals.

Existing law specifies that the people of the state accept the provisions of, and the funds provided by, specified provisions of the Education Amendments of 1972 (P.L. 92-318).

This bill would additionally specify the acceptance of the provisions of, and the funds provided by the Education Amendments of 1976 (P.L. 94-482), and subsequent enactments amendatory or supplementary thereto.

Existing law generally requires all meetings of state agencies to be open and public.

This bill would specify that such provisions do not prevent the California Postsecondary Education Commission from holding executive sessions pertaining to the appointment or termination of the commission's director.

This bill would take effect immediately as an urgency statute.

Ch. 731 (SB 136) P. Carpenter. Mobilehomes: registration; dealers, salesmen fees for written examinations.

(1) Under existing law each mobilehome unit must be registered separately with the Department of Motor Vehicles, even if 2 units are manufactured for the purpose of being joined together.

This bill would provide that, for purposes of registration, a mobilehome shall include, as a single unit with 1 registration, 2 or more units manufactured or fabricated for later assembly as a single unit and which are actually sold to be assembled into a single unit. The bill would, however, continue to subject each unit of a mobilehome registered under such provisions to a registration fee of \$11.

(2) Under existing law, every applicant for a mobilehome dealer's or salesman's license and every vehicle salesman who commences working for a mobilehome dealer, with specified exception, is required to pass a written examination prepared and administered by the Department of Motor Vehicles. No fee is prescribed for such examination.

This bill would impose a fee for such examination equal to the actual cost to the department for preparing and administering the examination, or \$50, whichever is less. Such fees could ultimately be deposited in the State Highway Account in the State Transportation Fund, which is continuously appropriated; and, therefore, this bill would make an appropriation.

(3) Provisions of the bill relating to registration would become operative on July 1, 1978.

Ch. 732 (SB 240) Holden. Health.

No provision of existing law prohibits health care service plans and specialized health care service plans, life or disability insurers, self-insured employee welfare benefit plans, or nonprofit hospital service plans from discriminating against persons who carry a gene which may, under some circumstances, be associated with disability in that person's offspring, but which causes no adverse effects on the carrier.

This bill would prohibit health care service plans and specialized health care service plans, life or disability insurers, self-insured employee welfare benefit plans, and nonprofit hospital service plans from refusing to enroll or accept a person as a subscriber or issue a policy or charge a higher rate or charge, by reason of the fact that the prospective enrollee, subscriber, or insured carries such a gene, including, but not limited to, Tay-Sachs trait, sickle cell trait, thalassemia trait, and X-linked hemophilia A. This bill would also prohibit discrimination in the fees or commissions of solicitors, solicitor firms, agents, or brokers who enroll, renew, write, or rewrite memberships or policies because the applicant carries such a gene.

Ch. 733 (SB 277) Holmdahl. Vehicles: tires: tread depth requirements.

Existing law prohibits a vehicle dealer or person holding a retail seller's permit from selling, offering for sale, exposing for sale, or installing on a vehicle for use on a highway, pneumatic tires that are worn, as specified in terms of tire tread depth requirements. However, under existing law, such prohibition does not apply to any person who installs on a vehicle, as part of an emergency service rendered to a disabled vehicle upon a highway, a spare tire with which such disabled vehicle was equipped. Existing law also prohibits any person from using such worn tires on a highway.

This bill would specify that such prohibitions apply to the use of such worn tires on a vehicle axle, and would also exempt from such prohibition the use of such worn tires when temporarily installed on a disabled vehicle.

Ch. 734 (SB 175) Deukmejian. Public assistance.

Under existing law for aid purposes, life insurance, money, or securities placed in an irrevocable trust for funeral, cremation, or interment expenses, or securities issued by a licensed cemetery for such expenses are deemed to have no value for eligibility purposes if the amount paid for same does not exceed \$1,000.

This bill would provide that the value for eligibility purposes of such property is the amount paid by the recipient which exceeds \$1,000.

The bill would also provide that no appropriation is made for reimbursement of any local agency for costs incurred by them pursuant to this bill, for a specified reason.

Ch. 735 (SB 491) Holmdahl. Crimes: probation. previous convictions.

Existing law prohibits granting of probation to, or suspension of sentence for, any adult convicted of a designated felony who has been convicted previously as an adult 2 or more times of any designated felony if all the convictions occurred within a 10-year period.

This bill would specify that such 10-year period shall be calculated exclusive of any period of time the person has been in a state or federal prison.

Ch. 736 (SB 586) Wilson. Mobilehome parks: notice.

Existing law makes no provision regarding giving notice of a rent increase to a tenant of a mobilehome park nor regarding giving notice to the park ownership or management of a tenant's intention to vacate his tenancy.

This bill would require that 60 days written notice be given of a rent increase or of the tenant's intention to vacate a tenancy.

Ch. 737 (SB 643) D. Carpenter. Counties: liability reserve account.

Existing law contains no specific authorization for a county, or a district for which the board of supervisors acts as a governing board, to establish and maintain a reserve for purposes of wholly or partially insuring against its liability or the liability of its employees for injuries, for liability under the workers' compensation laws, for casualty losses, or for providing health and welfare benefits for its employees.

This bill would permit a county board of supervisors to adopt a resolution establishing such a reserve and would permit specified payments to be made from such reserve.

Ch. 738 (SB 721) Zenovich. Disposition of surplus property.

This act would authorize the Director of General Services to dispose of or exchange specified surplus property. It would, in addition, reserve specified mineral rights to such land. It would, further, permit certain land conveyed to the City of Santa Rosa for a fire and police station to be used for other public purposes.

This bill would take effect immediately as an urgency measure.

Ch. 739 (SB 786) Johnson. State civil service: vacation and sick leave.

Existing law provides for state civil service employees to receive credit for vacation and sick leave in accordance with specified provisions computed on a monthly pay period basis.

This bill would authorize the State Personnel Board to provide by rule for the regulation and accumulation of vacation and sick leave credits for employees on an hourly basis and on a specified accrual basis.

Ch. 740 (SB 819) Stull. Pupil records: privacy.

Existing law contains provisions designed to protect the confidentiality of, and restrict public access to, records of pupils in kindergarten and grades 1 through 12.

This bill would require that in teacher dismissal hearings conducted by a Commission on Professional Competence, the state hearing officer, who acts as chairman of the commission, make a determination prior to the introduction of any testimony or evidence concerning an individual pupil as to whether the introduction of such testimony or evidence at an open hearing would violate any of the provisions of law relating to the privacy of pupil records. If the hearing officer, in his discretion, determines that the introduction of such testimony or evidence would violate any such provisions, this bill would require that the hearing, or any portion thereof at which such testimony or evidence would be produced, be conducted in executive session.

Ch. 741 (SB 988) Russell. School and community college districts—merit system: examination records—retention.

Existing statutes require examination records of classified employees of school districts and community college districts to be retained: (1) by the personnel commission and (2) for a specified minimum period; require a review and protest period, as specified by the commission; make such records confidential and prohibit availability to the public or any other person not directly connected with the examination.

This bill would require that the retention of such records be performed by the body authorized to administer examinations rather than by the personnel commission.

Ch. 742 (SB 952) Zenovich. Vehicles: driving under the influence of alcohol: presentence investigation.

Under existing law, in the case of a first conviction of driving a motor vehicle upon a highway while under the influence of intoxicating liquor, any judge may order a presentence investigation to determine whether a person convicted of such offense would benefit from treatment for persons who are habitual users of alcohol. In the case of a second or subsequent such conviction, existing law provides that every judge shall order such presentence investigation.

This bill would, instead, provide that any judge may order such presentence investigation for any such conviction (first, second, or subsequent); thus, such investigations would be permitted, but would not be required with respect to second or subsequent convictions.

Ch. 743 (SB 856) B. Greene. Commuter bikeways; recreational trails.

(1) Chapter 1130 of the Statutes of 1975, among other things, appropriated \$4,940,000 from the Transportation Planning and Research Account in the State Transportation Fund for construction of commuter bikeways meeting specified requirements.

This bill would specifically authorize the Department of Transportation to construct a commuter bikeway on the west bank of the Los Angeles River in Los Angeles County between the Imperial Highway and Slauson Avenue if sufficient funds are available from the above appropriation and the project meets the specified criteria developed and used by the department for evaluation of commuter bikeway projects

(2) Chapter 1019 of the Statutes of 1975 authorizes the Department of Parks and

Recreation to acquire rights-of-way for, and develop, riding, hiking, and bicycle trails on specified routes in Santa Barbara and Ventura Counties and appropriates \$940,000 from the Hostel Facilities and Recreational Trails Account in the General Fund for that purpose.

This bill would authorize the acquisition of an additional segment of such trails, between Mussel Shoals and Emma Wood State Beach. Inasmuch as this authorization would permit the expenditure of an existing appropriation for a new purpose, this bill would make an appropriation.

Ch. 744 (SB 994) Nimmo. Elections: recall.

Under existing law, the governing body of a local agency issues the order for an election for the recall of an officer of such agency.

This bill would provide that in the case of a special district, the order shall be issued by the county clerk of the most populous county in which the district is situated.

This bill would also provide that its provisions would not become operative if AB 1278 is also chaptered.

Ch. 745 (SB 1109) D. Carpenter. Judicial officers.

Existing law does not specifically include judicial officers within the meaning of the term "employee" for purposes of claims and actions brought against public entities and public employees.

This bill would specifically include judges of courts of record and justice courts, within the meaning of the term "employee" for such purposes.

Existing law provides that if a public entity refuses or fails to provide an employee with a defense against a civil action arising out of an act or omission in the scope of employment and the employee retains counsel to defend against such action, the employee is entitled to recover reasonable attorney's fees, costs, and expenses from the public entity. Existing law also provides that superior, municipal, and justice court judges may be represented in proceedings involving their judicial duties by the county counsel if such representation does not conflict or interfere with the county counsel's other duties.

This bill would specifically provide that any judge who is required to retain counsel because of a declared conflict of interest is entitled to recover attorney's fees, costs, and expenses from the public entity if the judge was otherwise entitled to representation.

Ch. 746 (SB 1241) Holmdahl. Educational data processing centers: assumption by county superintendents: classified employees.

Under existing law school districts, community college districts, and county superintendents of schools are authorized to provide data processing services.

This bill would provide, upon assumption, pursuant to an agreement, by a county superintendent of schools of a data processing center of a school district or community college district, for the transfer, upon request, of any related classified employees, as specified.

This bill would take effect immediately as an urgency statute.

Ch. 747 (SB-1115) Nimmo. School, community college district elections.

Generally, all school and community college district elections are to be held on 1 of the 3 statewide election dates that are provided for in even- and odd-numbered years.

This bill would remove the requirement that the county superintendents of schools consolidate school and community college district elections and instead make such the duty of the officer conducting the election.

This bill would make numerous related technical changes.

Ch. 748 (SB 549) Wilson. Jury service: exemption: peace officers.

Existing law provides for the excuse of a person from jury service where such service would entail undue hardship on the person or the public served by the person, but there is no categorical exemption from jury service for peace officers.

This bill would provide a categorical exemption from jury service for peace officers, as defined.

Ch. 749 (AB 1404) Gage. Recycling: paper products.

Existing law defines "recycled paper" and requires all state and local public agencies to purchase recycled paper and paper products instead of unrecycled paper or paper products whenever available at no more than the total cost of unrecycled paper and paper products.

This bill would redefine recycled paper and would instead require all state agencies, including the Department of General Services, and would authorize all local public agencies, to give preference to suppliers of recycled paper products whose bids do not exceed by more than 5% those of the suppliers of nonrecycled paper products.

Existing law requires the Department of General Services to establish a paper recycling plan for all paper refuse of state agencies and offices of state buildings as specified. The department is also authorized by existing law to contract as necessary for the recycling of paper products returned pursuant to such plan.

This bill would generally retain the above provisions and would in addition require the department to revise its specifications for state purchases of paper to give preference, wherever feasible, to the purchase of paper products containing recycled paper. This bill would require the director of the Department of General Services to report to the Legislature with respect to the revising of such specifications on or before January 2, 1979.

This bill would require the director to review the procurement specifications currently used by the department to eliminate, where possible, discrimination against the procurement of recovered resources and recycled materials.

This bill would require the department to establish purchasing practices which, where possible, would assure the purchase of materials which may be recycled or reused when discarded. This bill would require that persons contracting with the department shall specify the percentage of recycled paper content in the paper or paper products supplied.

This bill would require the department to make every effort to eliminate purchases of paper and paper products deemed potential contaminants to the state's recycling program.

This bill would require the department to require, where possible, that the persons with whom it contracts to use recycled paper in the performance of the contract work.

This bill would require that the proceeds from sale of wastepaper through paper recycling programs operated by the department shall be used when appropriated by the Legislature, first, to offset recycling program costs, and second, to reduce increased charges for recycled paper furnished state agencies by the department. Any revenues not expended during a fiscal year would be transferred to the General Fund.

Ch. 750 (AB 1377) Cordova Elections: ballot designations.

Under existing statutory law, with the exception of candidates for Justice of the Supreme Court or courts of appeal, a candidate may use, at his option, a ballot designation from 1 of 3 prescribed categories relating to vocation, public office, and incumbency, as specified.

This bill would revise the categories prescribed.

Existing law prohibits the Secretary of State and any other election official from accepting certain types of ballot designations (e.g., a ballot designation which suggests an evaluation of a candidate or one which is misleading).

This bill would, in addition to the above, prohibit various specified ballot designations; and it would require a ballot designation which must be printed in other than the English language pursuant to federal law, to conform to certain requirements.

Existing law generally permits a candidate who was appointed to an office to use the ballot designation "appointed incumbent," but it specifically prohibits a person appointed to fill a vacancy in a school district governing board from being designated on the ballot at the next general election of the governing board members as an incumbent governing board member. In addition, present law also specifically prohibits an appointed member of a city council from using such ballot designation for purposes of the next election for such office, except if such person has served for at least 1 year, he may use the designation of "appointed incumbent."

This bill would delete the above specific provisions, and would permit a candidate who holds an office, other than a judicial office, to use the phrase "Appointed Incumbent"

or the word "Appointed," as provided, and the title of the office

Ch 751 (AB 410) Craven Public Employees' Retirement System benefits

This bill would require various specified state entities to conduct a study and make recommendations regarding benefits provided to state members of the Public Employees' Retirement System and would appropriate \$5,000 to the Department of Finance for allocation to fund the costs of the act

Ch 752 (SB 778) Sieroty ~~Industrial loan companies and~~ * Personal property brokers

Existing law prohibits a personal property broker from inducing or permitting a borrower to become obligated under more than 1 contract of loan at the same time, with the result of obtaining a higher rate of charge than would be otherwise permitted.

This bill would make a clarifying change in such law

Ch 753 (AB 1252) N Waters Alcoholic beverages

Existing law does not provide for the conversion of an on-sale general alcoholic beverage license for seasonal business to an on-sale general alcoholic beverage license

This bill would authorize the conversion to an on-sale general license of such a seasonal license issued before July 1, 1977, upon a finding by the Director of the Department of Alcoholic Beverage Control and the payment of the on-sale general license fee, if such seasonal license is located in a county with a population of less than 50,000. This bill would preclude the sale or transfer of such license for 7 years after its issuance.

The bill would make a legislative declaration and finding.

Ch 754 (AB 138) Hughes Displaced homemakers' service centers program

Existing law contains provisions providing for a pilot displaced homemaker service center program in Alameda County with specified powers and duties. The Secretary of Health and Welfare is required to establish regulations concerning eligibility of persons for service center programs. The director and staff of the service center are required to make an annual evaluation of the program.

The existing provisions of law will remain in effect only until January 1, 1978.

This bill would provide for the establishment of a displaced homemaker service center in Los Angeles. It would limit eligibility for services within the center to persons with severe social or economic circumstances, require an annual evaluation of the center by the director and staff, and require an evaluation to be filed currently with the Secretary of Health and Welfare and the Legislature.

The bill would also provide that the provisions of law providing for the Los Angeles center shall remain in effect only until January 1, 1980, unless the Legislature appropriates sufficient funds to continue or federal-state funds are made available on a 90/10% matching basis.

An expression of legislative intent regarding such provisions would be included by the bill.

The bill would appropriate \$200,000 to the Health and Welfare Agency to be available for expenditure for the purposes of the bill which relate to Los Angeles County.

Ch 755 (SB 825) Smith. Displaced homemakers

Existing law repeals provisions of the law relating to displaced homemakers, as defined, on January 1, 1978, unless a later enacted statute, which is chaptered on or before January 1, 1978, deletes or extends such date.

This bill would, with respect to provisions which relate to the multipurpose service center for displaced homemakers in the County of Alameda, extend the duration of such provisions until January 1, 1979.

In addition, this bill appropriates \$100,000 to the Secretary of Health and Welfare for the purpose of carrying out provisions of law relating to the multipurpose service center for displaced homemakers in the County of Alameda. Such appropriation would be available for expenditure until January 1, 1979.

Existing law also provides that the secretary shall require the director and staff of the multipurpose service center to evaluate the effectiveness of the job training, placement and service components of the center. Such evaluation is required to include the number of persons trained, the number of persons placed in employment, follow-up data on

such persons, the number of persons served by the various service programs, and cost effectiveness of the various components of the center. A first-year evaluation is required in accordance with such provisions to be filed by the director with the secretary no later than February 1, 1977, and a second-year evaluation is required no later than January 1, 1978.

This bill would require a third-year evaluation no later than April 1, 1979.

Ch. 756 (SB 448) Cusanovich. State park system: appropriation for acquisition.

Appropriations from the State, Urban, and Coastal Park Fund for the acquisition of real property for the state park system are contained in the Budget Bill for the 1977-78 fiscal year.

This bill would amend and supplement the Budget Act of 1977 by adding a section thereto to appropriate \$5,000,000 † from that fund to the Department of Parks and Recreation for the acquisition of specified real property for the state park system. The bill would provide that none of the funds appropriated shall be available for encumbrance unless and until those projects have been recommended by the State Park and Recreation Commission and reviewed by the Secretary of the Resources Agency and until the State Public Works Board has made a certain determination regarding implied dedication and public prescriptive rights or claims.

The bill would take effect immediately as an urgency statute, with the acquisition provisions becoming operative on July 1, 1977.

Ch. 757 (AB 700) Perino. Fairs: revenues: appropriation: maintenance.

Generally, the fees, commissions, and other money received from horseracing under the Horse Racing Law are required to be deposited in the Fair and Exposition Fund.

The existing law, in addition to providing certain designated appropriations from the fund, annually appropriates a designated amount for the encouragement of county, district, or combined county and district, or citrus fruit fairs, to be apportioned to each such fair board based on the need of any such fair. It further provides that any anticipated revenues, other than allocation from the state, which are in excess of the approved budget for any fiscal or calendar year of any such fair are to be retained by such fair and may be expended for designated capital outlay fair projects or, if allocated by the Director of Food and Agriculture, for general operational support purposes of any such fair.

This bill would limit the amount of such unanticipated revenues which may be retained each budget year, under such provisions, of not to exceed 20% of the budgeted revenue.

This bill would, in addition, appropriate, from the Fair and Exposition Fund, \$4,000,000 †† each year for the fiscal years 1977-78, 1978-79, and 1979-80 to the Department of Food and Agriculture for allocation, without regard to any fiscal year, to such fairs for major and deferred maintenance

Ch. 758 (SB 375) B. Greene. Regional occupational centers: course of study.

Under current law, certain public school entities are authorized to establish and maintain regional occupational centers

This bill would permit such centers to provide instruction in academic and personal development subjects, on an individual referral basis, when such instruction is determined to be essential to ensure the employability of the student.

Ch. 759 (AB 560) Goggin. Trials.

Existing law provides that when a defendant in a misdemeanor case fails to appear in person at the time set for trial or during the course of trial, the court has discretion to do any one or more of the following: continue the matter, order bail forfeited or revoke the release of the defendant on his own recognizance, issue a bench warrant, or proceed with the trial upon a finding that the defendant has absented himself with full knowledge that the trial is to be held or is being held.

This bill would require the court to proceed with the trial, unless good cause for a continuance exists, if the court finds that the defendant has authorized his counsel to proceed in his absence. The bill would give the court discretion, upon a finding that the defendant has absented himself voluntarily with full knowledge that the trial is to be

† Appropriation reduced to \$2,500,000 by action of the Governor

†† Appropriation deleted by action of the Governor

held or is being held, to continue the matter, order bail forfeited or revoke release on the defendant's own recognizance, issue a bench warrant, or proceed with the trial. The bill would state that the bill does not limit the right of the court to order the defendant to be personally present at the trial for purposes of identification, unless the counsel stipulates to the issue of identity.

Ch. 760 (AB 1686) Lewis. Alcoholic beverages.

Existing law prohibits the sale of alcoholic beverages within 1½ miles of any university grounds or campus except in specified instances.

This bill would exempt from such prohibition the sale of any alcoholic beverages by the holder of any off-sale license situated within 1½ miles from the grounds of the University of Redlands.

Ch. 761 (SB 153) Dunlap. Aerosol propellants.

There is no existing law prohibiting the manufacture, sale, or use of cans, canisters, or other containers which utilize saturated chlorofluorocarbons not containing hydrogen as propellants or regarding the manufacturing of saturated chlorofluorocarbons not containing hydrogen.

This bill would prohibit: (1) on and after December 15, 1978, the manufacture in this state of any can, canister, or other containers which utilizes an aerosol propellant chemically composed, in whole or in part, of a saturated chlorofluorocarbon not containing hydrogen; (2) on and after October 15, 1978, the manufacture in this state of a saturated chlorofluorocarbon not containing hydrogen for use as an aerosol propellant in such a container; and (3) on and after April 15, 1979, the sale in this state of such aerosol cans, canisters, and containers.

This bill would except from the prohibition the uses exempted in currently proposed federal regulations or amendments thereto.

This bill would also provide that the provisions of the bill relating to the manufacture of containers using saturated chlorofluorocarbons not containing hydrogen and the manufacture of such chlorofluorocarbons would be superseded by the enactment or adoption of any federal law or regulation prohibiting the manufacture of any aerosol product utilizing saturated chlorofluorocarbons not containing hydrogen and the manufacture of such chlorofluorocarbons.

Ch. 762 (AB 783) Knox. Investments.

The existing Corporate Securities Law of 1968 prohibits the sale or offering for sale of any security in California in any transaction not directly or indirectly for the benefit of the issuer (i.e. any nonissuer transaction) unless it is qualified as specified, except that any security issued by a person which is the issuer of any security registered under Section 12 of the Securities Exchange Act of 1934 and which has a class of equity securities held by 500 or more persons and has total assets exceeding \$1,000,000, or any security exempted from registration under such federal act or which is issued by an investment company registered under the Investment Company Act of 1940 would be exempted from such qualification, except as otherwise specified.

This bill would revise such exemption and would condition its applicability, as revised, upon the filing with the Commissioner of Corporations of a notice in a form to be specified by the commissioner and containing specified information, including the issuer's name, date and place of organization, the issuer's taxpayer identification number, statements regarding registration under federal law and class of securities.

This bill, in addition, would specify the powers which a receiver or conservator would have and would provide that no legal action may be maintained against the receiver, conservator, or commissioner for exercising such powers or performing such duties, pursuant to the order of, or with approval of, the court.

Existing law provides that the Corporations Commissioner may prescribe rules applicable to broker-dealers or agents, which may require a minimum capital for broker-dealers or prescribe a ratio between net capital and aggregate indebtedness or both.

This bill would allow the commissioner to, in addition, require a fidelity bond of broker-dealers.

Existing law provides that it is unlawful for any person to offer to sell or sell any franchise in this state unless the offer of the franchise has been registered with the

Commissioner of Corporations or exempted A "sale" includes every contract or agreement of sale of, contract to sell, or disposition of, a franchise or interest in a franchise for value, but does not include the renewal or extension of an existing franchise where there is no interruption in the operation of the franchised business by the franchisee.

This bill would provide that a material modification of an existing franchise, whether upon renewal or otherwise is a "sale" within the meaning of the Franchise Investment Law

Existing law provides that no state agency shall employ any legal counsel other than the Attorney General, or one of his assistants or deputies, in any matter in which the agency is interested.

This bill would permit the Commissioner of Corporations to employ legal counsel to act as the attorney for the commissioner in actions or proceedings brought by or against the commissioner under or pursuant to any provision of any law under the commissioner's jurisdiction.

Ch. 763 (SB 32) Roberti. Consumer commodities: pricing.

Existing law requires any grocery store or grocery department which uses an automatic checkout system and which sells consumer commodities at retail to have a clearly readable price indicated on each consumer commodity offered for sale from April 1, 1976, to January 1, 1978.

This bill would continue such requirement from January 1, 1978, to January 1, 1980

This bill would also permit civil actions or injunctive actions with regards to such requirements to be brought in the name of a single plaintiff.

Ch. 764 (SB 144) Cusanovich. Horseracing

Under existing law, effective until March 6, 1977, any racing association which handles \$25 million or less in the parimutuel pools operated by it during the course of a racing meeting is exempt from other statutory provisions relating to the percentage payment of purses, license fees, and payments to owners and breeders, and instead pays out 5.5% as a license fee and 10.25% to owners and breeders as commissions and purses.

This bill would increase from \$25 million to \$30 million the amount in the parimutuel pool which will qualify an association for exemption from the other statutory provisions relating to the percentage payment of purses and payments to owners and breeders, and for reduced license fees. The provisions of the bill would be effective until September 1, 1978

This bill would also provide that its provisions shall not become operative if Assembly Bill No 1370 is also chaptered.

Ch. 765 (SB 93) Nejedly. Labor: employment of minors

Existing law places various limitations upon the hours which minors may work and upon the times of day which they may work.

This bill would permit any minor who is a graduate of a public or private high school or with equivalent education or who possesses a specified certificate of proficiency to be employed for the same hours as an adult may be employed in performing the same work and would prohibit the employer of such a minor from paying the minor less than the rates paid to adult employees in the same establishment for the same quantity and quality of the same classification of work.

Ch 763 (SB 280) Russell. Public Employees' Retirement System.

Existing Public Employees' Retirement Law provides that a quorum of the Board of Administration is 4 members except in health plan benefit administration a quorum is 6 members. This bill would provide that a quorum of the board is 6 members for all purposes.

Existing law does not specifically designate the effective date of reinstatement from retirement. This bill would provide that the effective date of reinstatement shall be the first day of compensated employment following approval of reinstatement.

Existing law permits all retired persons to serve up to 90 working days a year under specified circumstances, in addition to any other specified provisions of law permitting services after retirement, without loss of retirement benefits. This bill would repeal the provision which states that such 90 working days may be in addition to any other specified provisions of law permitting services after retirement

Existing law permits retired physicians and dentists to work 60 days a year without loss or disruption of their retirement allowances. This bill would increase that period to 90 working days a year.

Existing law permits contracting agencies to elect to be subject to specified cost-of-living increase provisions. This bill would require those elections to be made on or before December 31, 1978.

Existing law makes a specified increase in allowances for local member beneficiaries subject to termination upon remarriage or attainment of age 18. The bill would delete that termination.

The bill also provides that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason.

Ch. 767 (SB 324) Fehr. Fish and game: damages for unlawful destruction thereof

Under existing law, the state may recover damages, as specified, against any person who wrongfully or negligently takes or destroys any bird, mammal, fish, reptile, or amphibian protected by laws of this state.

This bill would authorize damages against local agencies, as defined, in the same manner as persons as provided above, but would prohibit the recovery of such damages against a local agency if civil penalties are assessed against the local agency for the same detriment pursuant to the Porter-Cologne Water Quality Control Act. The bill would, under specified circumstances, require notification of the State Water Resources Control Board of any such act on and would permit the board to join in the action.

Ch. 768 (SB 326) Stiern. Community college construction projects.

The Community College Construction Act of 1967 authorizes a community college district to begin work on, or receive or award bids for, any portion of an approved project prior to the appropriation by the Legislature of the state's share of the funding if the district has demonstrated to the satisfaction of the Board of Governors of the California Community Colleges and the Department of Finance that the capital construction program of the district and the construction dates support the need and that the district has the financial capability to complete the work begun in the event the Legislature makes no appropriation for the project.

A provision of such act: directs the Department of Finance to review preliminary plans for the 1975-76 Capital Outlay Program for a project approved and submitted to it by the chancellor under such act, and the estimated state and district shares in the funding of the project determined by the chancellor; specifies that if the department approves the preliminary plans, such approval shall not preclude future state reimbursement, nor cause preferential consideration to be granted.

This bill would repeal that provision.

Ch. 769 (SB 334) P Carpenter. Ice cream trucks: warning devices.

Existing law prohibits the display of flashing lights on vehicles except as otherwise permitted and specifies certain vehicles that are authorized to display flashing lights.

This bill would permit the City of Los Angeles to require, by ordinance, that ice cream trucks display flashing amber warning lamps and to activate a caution arm only when parked, as defined, to sell ice cream products on a street within a residence district of the city. The driver of any vehicle, upon meeting or overtaking from either direction an ice cream truck displaying the lamps and with the arm activated within the city, would be required to immediately slow the vehicle to 10 m.p.h. or less before passing the truck and to yield the right-of-way to any pedestrian in the immediate vicinity of the truck and would be permitted to proceed only with caution. The city would be authorized to include in the ordinance such other provisions as may be necessary to reduce injuries to children in the vicinity of ice cream trucks; and the city, or any public or private agency it designates, would be required to conduct an evaluation of the implementation of the provisions which would be enacted by the bill and to report the findings to the Governor and the Legislature regarding the desirability of implementing statewide the requirements imposed pursuant to such provisions.

The bill would include a finding and declaration of the necessity for this special law.

The bill would take effect immediately as an urgency statute and would be repealed

on January 1, 1980.

Ch. 770 (SB 348) Presley. Vehicles: driver's license: class 3; towing of vehicles.

(1) Existing law permits a person with a class 3 driver's license to drive a 3-axle housecar, any 2-axle vehicle, and any such housecar or vehicle towing another vehicle weighing less than 6,000 pounds gross, except a bus, 2-wheel motorcycle, motor-driven cycle, or farm labor truck.

This bill would include within the category of vehicles which may be driven under a class 3 license, any 2-axle vehicle weighing 4,000 pounds or more unladen when towing a trailer coach not exceeding 9,000 pounds gross.

(2) Under existing law, drivers' licenses issued by the Department of Motor Vehicles are required, among other things, to state the type of motor vehicle or combination of vehicles the licensee is qualified to operate.

This bill would delete such requirement and instead require that the license state the class of license for which the licensee has qualified.

(3) Existing law prohibits any passenger vehicle, regardless of weight, and any other motor vehicle under 4,000 pounds unladen, from drawing or towing more than 1 vehicle in combination (except that an auxiliary dolly may be used with the towed vehicle).

This bill would prohibit any motor vehicle under 4,000 pounds unladen from drawing or towing any vehicle weighing 6,000 pounds or more gross.

(4) The bill would incorporate additional changes in Section 12804 of the Vehicle Code proposed by Assembly Bill No. 657, to be effective only if Assembly Bill No. 657 and this bill are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last.

(5) The bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code and no appropriation made by this bill for a specified reason.

Ch. 771 (SB 386) Deukmejian. Controlled substances: forfeiture of vehicles, boats, and airplanes.

(1) Under existing law, with prescribed exceptions, the interest of any registered owner of a vehicle, boat, or airplane used to unlawfully transport for sale any controlled substance for which the owner is arrested and convicted is subject to forfeiture.

This bill would make such interests of registered owners of vehicles, boats, or airplanes subject to forfeiture if they are used to unlawfully transport for sale any controlled substance for which the owner or some other defendant is arrested and convicted.

(2) Under existing law, a forfeiture would not occur if the owner of the vehicle, boat, or airplane established that he had no knowledge that it would be used for unlawful transportation of a controlled substance.

This bill would provide that a forfeiture would not occur unless the state proves beyond a reasonable doubt that the owner of an interest consented, with knowledge, to the use of such vehicle, boat or airplane.

(3) The bill would also provide that such forfeiture provisions would not extend or change decisional law on search and seizure.

Ch. 772 (SB 368) Nejedly. Minors, custody investigations.

Existing law requires probation officers or domestic relations investigators, upon court order in certain cases involving the custody of children under the Family Law Act, to make custody investigations and reports.

This bill would require the court in such cases to make inquiry into the financial condition of the parent, parents, guardian, or other person charged with the support of the minor, and if a determination of ability to pay is made, order repayment to the county of part or all of such investigations and reports.

Ch. 773 (SB 150) Alquist. Energy systems: public buildings.

1. Existing law does not require the State Energy Resources Conservation and Development Commission to prepare a manual outlining methodology by which governmental agencies and the general public may compare the life cycle costs of various building design alternatives, to develop guidelines for new construction which include energy conserving plans, or to develop and make available to governmental agencies and the general public lighting standards for existing buildings.

This bill would require the commission to do so and it would permit the guidelines and cost analysis prepared by the commission to be considered by governmental agencies, at their option, for ultimate selection of a building design in the competitive building process.

2. Existing law does not require new structures of government agencies to comply with nonresidential building standards developed by the commission.

This bill would prohibit any governmental agency, as defined by the bill, from commencing construction on or after January 1, 1979, on any building which has more than 10,000 square feet of floor area and which has a heating, cooling, water heating or lighting system that is designed to provide lighting and space conditioning more than 1,000 hours per year, unless the structure complies with nonresidential building standards developed by the commission. The bill would declare that such provision does not constitute a change in but is declaratory of, the existing law.

3 Existing law does not require every new state-owned building, which has more than 10,000 square feet of floor area and which has a heating, cooling, water heating, or lighting system that is designed to provide lighting and space conditioning more than 1,000 hours per year, to have a supplementary solar water heating system.

This bill would require every such new state-owned building have such a system unless specifically exempted by the State Architect for reasons of economic or physical infeasibility.

4. Also, the bill would require the commission to provide not to exceed \$40,000, from the funds appropriated for the support of the commission for the 1977-78 fiscal year, for purpose of conducting the Helio Science Institute Energy Conference and Exhibit, dealing with the use of solar, wind, and geothermal energy, to be held in January 1978, at Palm Springs, California.

5. The bill would also provide that there are no state-mandated local costs in this bill that require reimbursement under Section 2231 of the Revenue and Taxation Code for a specified reason.

Ch. 774 (SB 901) Greene Adoptions: hard-to-place children.

Under existing law, families which adopt hard-to-place children may receive financial assistance in an amount not more than the amount that would be paid for foster care for the child if the placement for adoption had not taken place. The state share of the costs of this assistance program may not exceed the estimated reduction in foster care payments which will result from the placement of hard-to-place children in adoptive homes.

This bill would provide that the state share of the program costs shall not exceed in any month 67.5% of the product of \$120 multiplied by the number of children receiving assistance under the program.

Ch. 775 (SB 1177) Vuich. Hospital districts.

Existing law provides for the creation and operation of hospital districts, including provisions relating to qualifications and service of members of the board of directors thereof, indebtedness of such districts, letting of contracts, audits, and review of medical staff.

This bill would revise such provisions, as follows:

(1) Under existing law, no hearing upon a petition to form a hospital district can be held until a certificate from the appropriate voluntary area health planning agency stating the agency's findings with regard to specified requirements has been filed with specified officers.

This bill would revise and restate such provision to provide that a hearing on a petition to form a district could not be held until a certificate of need was issued pursuant to specified provisions of law relating to health planning.

(2) Under existing law, the term of office of a member of a board of directors of a hospital district who misses six consecutive meetings of the board expires. This bill would provide that the term also expire for missing five or more of any eight consecutive meetings.

(3) Existing law provides specific provisions for conflict of interests and campaign statements specifically applicable to members and candidates for hospital district boards. This bill would repeal those provisions.

(4) Under existing law, no person may hold office in a hospital district if the person owns or has an interest of more than 5% in any private hospital serving the area of the district. This bill would extend such provision to officers of the medical staff and remove the 5% exemption so that any interest would be prohibited.

(5) Under existing law, funds of the district are paid out by the treasurer on written order signed by the president and secretary of the district. This bill would allow such payment by the treasurer or any officer of the district, including the administrator, designated by the board.

(6) Under existing law, the board of directors of a hospital district is granted powers with respect to granting of privileges to medical staff, after appropriate action by the medical staff. This bill would revise such provisions to specify that the functions of the board include the review of appeals from medical staff decisions. The bill would also provide that meetings of the board to review medical audit reports would be private unless a public hearing is requested by an applicant for membership, or a member of, the medical staff concerned, whose staff privileges are the direct subject of the hearing.

Ch. 776 (SB 357) Dills. Schools: pupils: student newspapers.

The law currently specifies that public school pupils have the right to exercise free expression, including the right to use bulletin boards, to distribute printed materials, and to wear buttons, badges, and other insignias. This right is limited to expression which is not obscene, libelous, or slanderous and which does not create a clear and present danger of various unlawful acts. The right is subject to reasonable regulation by the school district governing board.

This bill would include the right to exercise freedom of speech and of the press, and specifically the right of expression in official school publications among the rights currently guaranteed and would provide in addition that the right to such expression in such publications or other means of expression would be guaranteed whether or not they are supported financially by the school or by use of school facilities.

Existing law requires the adoption of rules and regulations relating to the exercise of free expression by the governing board of a school district and county superintendent of schools.

This bill, instead, would require that each governing board and county board of education adopt rules and regulations in the form of a written publications code.

This bill would specify the responsibility of student editors and journalism advisers, and would define "official school publications."

This bill would also specifically prohibit the prior restraint of material for official school publications except insofar as it violates this bill. The bill would specify that school authorities have the burden of showing justification without undue delay prior to any limitations of student expression.

This bill would specify that it does not make an appropriation or create an obligation to reimburse local agencies pursuant to Section 2231 of the Revenue and Taxation Code since the costs mandated by this bill are minor in nature.

Ch. 777 (SB 1141) Nejedly. Automobile sales.

Existing law authorizes the holder of a conditional sale contract to add to the contract balance and have it secured by the motor vehicle any amounts advanced by the holder to procure insurance on the vehicle where the buyer is obligated under the contract to maintain insurance and fails to do so or requests the holder to do so, provided the holder notifies the buyer in writing of his option to repay such amounts in any of 4 ways, including full payment upon demand, 2 specific amortization plans, and any other amortization plan offered by the holder.

This bill would provide that full payment may be made within 10 days of the giving or mailing of the notice, extended to 15 days effective January 1, 1978, and that if the buyer neither pays in full nor notifies the holder in writing of his choice regarding amortization plans before the expiration of 10 days from the holder's giving or mailing of notice, extended to 15 days effective January 1, 1978, the holder may amortize the amounts advanced pursuant to either of the 2 specific amortization plans.

Existing law requires the seller or holder of a conditional sale contract to furnish the persons liable thereon with a form for use in requesting an extension of a redemption or reinstatement period, with the form specifying that the request be sent by first-class mail, return receipt requested.

This bill would substitute certified or registered mail for first-class mail and would specify that the request contain instructions that the request be received by the entity designated by the seller or holder prior to the expiration of the initial redemption and reinstatement periods.

This bill would take effect immediately as an urgency statute.

Ch. 778 (SB 1243) Flobert. Weights and measures.

Under existing law it is a misdemeanor for a person to compute at the time of sale of a commodity a value which is not a true extension of a price per unit which at that time is advertised, posted, or quoted.

This bill would make such offense also punishable as an infraction under designated circumstances.

It would take effect immediately as an urgency statute.

Ch. 779 (SB 1002) Mills. Grade separation projects.

Under existing procedures adopted by the California Highway Commission in allocating funds for grade separation projects, a local agency accepting a reduced allocation for a project, because of insufficient funds available for such projects, is precluded from receiving additional such funds for the project.

This bill would require the commission to offer to make an allocation for the next eligible project on the priority list even though the amount of remaining funds is less than the amount the local agency is entitled to for that project.

The bill would require, if the reduced allocation is less than 90% of the amount the local agency was entitled to, the commission, in the next fiscal year, to allocate to the local agency an additional amount equal to the difference between that 90% of such amount and the amount of the reduced allocation.

The bill would specifically prohibit the total of the amount of allocations for a single project, including, but not limited to, any allocations pursuant to the above proposed provision from exceeding \$5,000,000 without specific legislative authorization.

Ch. 780 (SB 850) Marks. Sample ballots: registration cancellation.

Current law requires a county clerk, under prescribed conditions, to cancel the registration of a voter if a voter fails to vote at the previous direct primary election or previous statewide election, whichever is later, and the clerk receives an address correction notice, indicating that such voter no longer resides in the county or has moved and left no forwarding address. However, only in connection with the mailing of sample ballots at the direct primary election is the county clerk currently required to include the return address of the county clerk's office on the outside portion of the envelope and to affix to the outside portion of such envelope the following statement: "Address Correction Requested", for purposes of facilitating the cancellation of affidavits of registration.

This bill would impose such a requirement on county clerks when mailing sample ballots at the general election. It would also, with the approval of the county board of supervisors, authorize a similar procedure at local elections.

The bill would make a clarifying change in a related provision of law.

The bill would also provide that there are no state-mandated local costs in this bill which require reimbursement to local agencies for costs incurred by them pursuant to this bill during the 1977-78 fiscal year.

Ch. 781 (SB 998) Stiern. Community college districts.

Under existing law, exemptions from the requirement that all territory of the state be included in community college districts is generally afforded to counties having residents accounting for fewer than 250 units of average daily attendance in grades 13 and 14 in community colleges during the preceding fiscal year.

This bill would modify the exemption and afford it instead to counties having residents accounting for fewer than 350 units of average daily attendance in community colleges during the preceding fiscal year.

Ch. 782 (SB 965) Stull School and community college districts: building repainting: limitations.

Existing statutes prescribe maximum amounts for certain school district or community college district work which such districts may have performed by day labor or force account.

This bill would make such statute applicable to painting or repainting upon school buildings and would make the provisions thereof which relate to specified large districts applicable to painting or repainting school buildings, grounds, apparatus, or equipment

This bill would also make technical changes.

Ch. 783 (SB 665) Garamendi. Canning tomatoes: agricultural products marketing: assessments.

(a) The existing law, generally, sets forth the standards for tomatoes for canning and provides for the establishing of regulations, by the Director of Food and Agriculture, as to grade and color of such tomatoes

This bill would revise and restate, with various substantive changes, such provisions and would, generally, do the following:

(1) Repeal the provisions setting forth standards for tomatoes for canning purposes.

(2) Authorize the director to adopt and enforce regulations for minimum standards and tolerance, minimum standards for color, and sampling and inspection procedures for canning tomatoes.

(3) Authorize the director to adopt, by regulation, fees to cover costs in carrying out the provisions regulating canning tomatoes and to adopt and enforce regulations for sanitation, equipment, inspection stations, and load identification data.

(4) Require the director to inspect deliveries of tomatoes for canning purposes, without exempting tomatoes certified at point of shipment under designated provisions.

(5) Remove the maximum amount per ton which may be charged to the canner and the producer for inspection and certification of canning tomatoes

(6) Require the minimum standards and tolerances for canning tomatoes in effect on December 31, 1977, to be in force until such time as the regulations are established under the provisions of this bill

(7) Make numerous conforming changes in the provisions regulating tomatoes for canning purposes.

(b) The existing provisions of the California Marketing Act of 1937, generally, require each marketing order to provide for the levying and collection of assessments to defray the costs in the formulation, issuance, administration, and enforcement of such marketing order, and to defray the costs of advertising and sales promotion, if the marketing order provides for such activities. The present law authorizes the director to add to an assessment, which is not paid on a prescribed date, an amount of not to exceed 10% of such unpaid assessment to defray the cost of enforcing the collection of such unpaid assessment.

This bill would, in addition, require a payment of a penalty, to the director, of 5% of the unpaid balance for each 30 days, prorated over the days that the assessment is unpaid, commencing 30 days after notice has been given of the failure to pay the assessment on the date required, unless the director determines, to his satisfaction, that such failure to pay is due to reasonable cause, as prescribed. It would limit such a penalty of not to exceed 50% of the total amount of the assessment due

(c) The bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill. There shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be an appropriation made by this bill for a specified reason.

Ch. 784 (SB 298) Wilson. State park system: fees

The law presently does not provide for elderly persons to be allowed free use of the day-use facilities in units of the state park system.

This bill would provide that any elderly person having a specified low income or receiving aid to the aged, upon application therefor and payment of \$3.50 to the Department of Parks and Recreation, would be issued a "Golden Bear Pass for Senior Citizens" which would be valid until January 1, 1980, and which would entitle the bearer and

spouse to free use of the day-use facilities in units of the state park system, except Hearst San Simeon State Historical Monument, San Francisco Maritime State Historic Park, and Sutter's Fort State Historic Park, under such limitations as may be determined by departmental regulation regarding peak hours and contractual arrangements with vendors, and except on any Saturday, Sunday, or holiday.

The bill would also provide that such pass would entitle the bearer and spouse to have access only to day-use facilities and not to any overnight camping or trailer or camper facilities.

Such program would remain in effect for the period January 1, 1978, to January 1, 1980, and the department would be required to submit a report to the Governor and to the Legislature within 6 months immediately prior to the end of such 2-year period on the approximate cost of the program.

Ch. 785 (SB 1131) Presley. Appropriation for abatement of pollution.

Existing law requires the State Water Resources Control Board to cause a condition of pollution or nuisance to be abated in the event that a city, county, or public agency that is subject to an order of a regional water quality agency does not abate the condition within a reasonable time.

This bill would appropriate \$296,000 for abating and preventing the future recurrence of threatened conditions of pollution and nuisance at a certain hazardous waste disposal site. One-half of that sum would be disbursed to the County of Riverside and one-half would be deposited in the State Water Pollution Cleanup and Abatement Account in the State Water Quality Control Fund. Such funds would not be authorized for disbursement until the state board agrees to disburse \$74,000 from the State Water Pollution Cleanup and Abatement Account for that purpose and until the state agrees to cause the condition to be abated within a time to be specified, to maintain and monitor the site to prevent future recurrence of any such condition, and the county agrees to transfer the \$148,000 appropriated to it to the State Water Pollution Cleanup and Abatement Account and to repay the General Fund the sum of \$148,000 on or before December 31, 1980, without liability for any interest. The Director of Finance and the state board would be authorized to perform any act necessary to implement the bill. The bill would also include a legislative finding regarding the necessity for this special statute.

The bill would take effect immediately as an urgency statute.

Ch. 786 (SB 427) Durlap. Conciliation court.

Existing law permits a superior court to increase by \$5 the fee for filing a petition for dissolution of a marriage, legal separation, or nullity of a marriage, upon action by the board of supervisors to provide matching funds, with the funds to be used exclusively for maintaining the conciliation court.

This bill would provide that, as an alternative to that procedure, a filing fee for filing a petition in such actions may be imposed by the Board of Supervisors of Napa or Shasta County which is sufficient, when added to the additional filing fees, if any, collected in other specified domestic relations actions, to cover the cost of operation of the conciliation court, provided that no fee adopted pursuant to such provisions shall exceed the fee charged on January 1, 1978, by more than \$60.

Ch. 787 (SB 625) Roberti. Unfair trade practices.

Existing law makes unlawful various forms of business activity as unfair trade practices.

This bill would add to such laws a provision that it is unlawful for any manufacturer, wholesaler, distributor, jobber, contractor, broker, retailer, or other vendor, or any agent of any such person, to enter into a contract with any service or repair agency for the performance of warranty service and repair for products manufactured, distributed, or sold by such person, below the cost to such service or repair agency of performing the warranty service or repair.

The bill would define "cost" as applied to such warranty service contracts.

The bill also would provide that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant thereto.

Ch 788 (SB 578) Behr. Mobilehome parks. enforcement responsibility.

Under existing law, the Department of Housing and Community Development is responsible for enforcing the law relating to mobilehome parks. Any city, county, or city and county may assume responsibility for enforcement of the law relating to mobilehome parks upon 30 days written notice to the department.

This bill would require the Commission of Housing and Community Development to adopt regulations setting forth the conditions for assumption of enforcement responsibility.

This bill would require the department to approve any assumption of enforcement responsibility and to determine whether a local enforcement agency is properly enforcing the mobilehome parks law. The bill would authorize a local enforcement agency to appeal a decision by the department with respect to proper enforcement to the commission.

This bill would require the department to evaluate cities, counties, and cities and counties which have assumed responsibility for enforcement of the law relating to mobilehome parks

Ch. 789 (SB 1173) P. Carpenter Telephone lines

Existing law makes various provisions respecting the privacy and integrity of telephone lines and communications.

This bill would authorize a supervising law enforcement official to order a telephone company security employee, designated pursuant to this bill, to cut, reroute, or divert telephone lines in any emergency in which hostages are being held and probable cause to believe that a crime has been committed exists, to prevent telephone communication by the holder of such hostages with any person other than a peace officer or person authorized by him

Good faith reliance on an order by a supervising law enforcement official would constitute a complete defense to any action brought under the bill's provisions

The bill would take effect immediately as an urgency statute.

Ch. 790 (SB 1052) Smith. Agnews State Hospital: sidewalks.

This bill would appropriate \$50,000 to the State Department of Health for payment to the City of Santa Clara of the department's share of the cost of installing the sidewalk fronting the Agnews State Hospital in the city.

Ch. 791 (SB 398) Campbell Office of Emergency Services: appropriation for the FIRESCOPE program.

The Budget Bill for the 1977-78 fiscal year contains an appropriation for the support of the Office of Emergency Services.

This bill would augment such appropriation by appropriating an additional \$50,000 to the Office of Emergency Services to fund the share of the Department of Forestry and the share of the Fire and Rescue Division of the office for the 1977-78 and 1978-79 fiscal years for the FIRESCOPE program. The bill would, however, prohibit the encumbering of any of the funds appropriated by the bill unless and until \$50,000 in federal matching funds are received for such purpose.

The bill would take effect immediately as an urgency statute.

Ch. 792 (SB 404) Wilson. Wrongful death.

Under existing law, when the death of a person is caused by the wrongful act or neglect of another person, an action for damages may be brought against that person by persons entitled to succeed to the property of the decedent or by the decedent's putative spouse, children of the putative spouse, stepchildren, and parents if they were dependent on the decedent.

This bill would also permit a wrongful death action to be brought by any minor who, at the time of the decedent's death, resided for the previous 180 days in the decedent's household and was dependent on the decedent at the time of death for one-half or more of his or her support.

Ch. 793 (SB 473) Stull. Regional occupational centers

Under existing law, the Superintendent of Public Instruction is to provide to each school district participating in a regional occupational center or to each county superintendent of schools operating a regional occupational center an additional allowance per unit of average daily attendance of \$179 for each orthopedically handicapped person.

This bill would increase such allowance to \$620 for each orthopedically handicapped person.

Ch. 794 (SB 1046) Garamendi. Municipal courts: San Joaquin County.

Existing law specifies the number, classifications, and compensation of municipal court personnel in San Joaquin County.

This bill would increase the number and compensation of specified personnel.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local governmental entity or entities which desire authority to act pursuant to the act.

Ch. 795 (AB 711) Egeland. Alcoholic beverages.

Existing law does not prohibit the sale of candies, cakes, cookies, or chewing gums which contain alcohol.

This bill would make it unlawful for any person to sell, give, or furnish any candy, cake, cookie, or chewing gum weighing 5 ounces or less and which contains alcohol in excess of 2% by weight to any person under the age of 21 years.

This bill would provide that there shall be no reimbursement nor appropriation made by the bill for reimbursement of any local agency for costs incurred by it pursuant to the bill.

Ch. 796 (AB 936) Alatorre. Labor: employment of minors.

(1) Existing law requires minors and their employers to possess specified work permits.

This bill would exempt from such requirements those minors who are high school graduates or the equivalent.

(2) Existing law makes various violations of the laws relating to the employment of minors either class "A" violations or class "B" violations.

This bill would change from a class "A" violation to a class "B" violation a first and second violation of the prohibition against employing, except in specified situations, a minor for more than 8 hours in one day of 24 hours, or more than 48 hours in one week, or before 5 o'clock in the morning or after 10 o'clock in the evening. A second violation of such provision would be subject to the maximum civil penalty for a class "B" violation of \$500. A third or subsequent violation of such prohibition would remain a class "A" violation.

Ch. 797 (AB 35) Montoya. Redevelopment.

(1) Under existing law, a redevelopment agency is required to annually file a complete report of its activities with the Department of Housing and Community Development and make recommendations for necessary legislation.

This bill would require the report to also be filed with the legislative body of the community in which the redevelopment agency is located; and require the report to contain an independent financial audit report, as defined, a work program for the ensuing year, an examination of the achievements of the previous year and a comparison of the previous year's achievements with the previous year's work program, and recommendations for legislation relating to housing and community development.

(2) Under existing law, the legislative body of a redevelopment agency may dissolve the agency if there is no outstanding bonded indebtedness and if the members of the agency agree unanimously.

This bill would refer to such process as "deactivation," rather than "dissolution," and would remove the requirement of unanimous consent of the member of the agency for the legislative body of the agency to deactivate the agency and would require there be no indebtedness or contractual obligations of the agency, unless they were assumed by the community, as a condition to deactivation. This bill would make an ordinance deactivating a redevelopment agency subject to referendum.

(3) Under existing law, the legislative body for a redevelopment agency may by ordinance adopt the redevelopment plan as the official redevelopment plan for the project area or amend an adopted plan upon recommendation of the agency.

This bill would require that the amendment of a plan be by ordinance, which would be required to contain the same findings as an ordinance for adoption of a plan. The bill would specify that the adoption or amendment of a plan would be subject to referendum. The bill also contains a special provision for submission of referendum petitions in cities or counties of more than 500,000 population and, with respect to such referendums, the bill would require a prescribed form for the ballot measure and a special analysis if the redevelopment plan or amendments thereto provide for tax-increment financing or expand a project area subject to tax-increment financing.

(4) Under existing law, if the planning commission recommends against approval of the redevelopment plan, the plan requires a $\frac{2}{3}$ vote of the legislative body for adoption.

This bill would provide the same $\frac{2}{3}$ vote requirement for adoption of a plan or the amendment of an existing plan if the project area committee recommended against adoption or amendment.

(5) Under existing law, there is no express requirement the agency submit proposed amendments to a redevelopment plan to the project area committee.

This bill would require submission of proposed amendments to the committee at least 30 days before being heard by the legislative body and would provide for increasing the size of the project area committee to give representation to residents of the area proposed to be added to the plan.

(6) Under existing law, project area committees are to be furnished with office space, staff, and equipment.

This bill would authorize the employment of legal counsel by the committee, but would prohibit use of prescribed funds thereof for litigation, except litigation to enforce or defend the rights of the committee under the Community Redevelopment Law.

(7) Under existing law, the legislative body is authorized to adopt an annual budget for the administration expenses of the agency.

This bill would require adoption of an annual budget containing specific information identifying the proposed expenditures of the agency, the proposed indebtedness of the agency, and the anticipated revenues of the agency.

(8) Under existing law, the agency may authorize the issuance of bonds by resolution which must contain specified items. There is no express requirement of legislative body approval of the issuance of bonds or refunding bonds by the agency.

This bill would require legislative body approval of issuance of such bonds or refunding bonds.

(9) This bill would also provide that no appropriation is made nor is there reimbursement to local agencies of costs that would be incurred under the bill for a specified reason

Ch. 798 (AB 2024) Hallett Salinas Union High School District improvement area: property taxation—maps or plats.

(1) Existing statutes authorize the Governing Board of the Salinas Union High School District to form an improvement area within the district comprising specified territories for the issuance and sale of bonds for the construction of 1 or more junior high schools to serve the pupils of the elementary school districts after authorization is received to do so by the electorate of the territories encompassing the proposed improvement area.

Existing statutes also provide that the creation of special zones in a district are not effective for purposes of local assessment and taxation for the fiscal year beginning on the following July 1, unless various statements, resolutions, maps, and plats boundaries had been filed by January 1, and instead, provision is made to enable such districts to borrow funds for their support during such fiscal year.

The bill would permit the creation of such an improvement area to become effective for property tax purposes for the 1977-78 fiscal year if the required documents are filed on or before March 24, 1978.

(2) Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing a new entity to impose a property tax.

(3) The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this bill for a specified reason.

(4) This bill would take effect immediately as an urgency statute, and would be repealed effective January 1, 1981.

Ch. 799 (AB 1882) Berman. General release from liability claims: fraudulently obtained.

Existing law provides that a general release from a liability claim from any individual who is initially admitted to a medical facility for treatment of the injury alleged to have given rise to such claim is presumed fraudulent if executed within 15 days of such admission or prior to release from the facility, whichever occurs first.

This bill would presume fraudulent the obtaining of such release from any person during the period of the first visit or physical confinement whether as an inpatient or outpatient at a clinic or health facility, as defined.

This bill would take effect immediately as an urgency statute.

Ch. 800 (AB 1683) Thurman. Vehicles: equipment. permitted use of fog taillamps.

Existing law defines lighting equipment for purposes of the Vehicle Code. Under existing law, the use of lighting equipment on vehicles is regulated and certain lighting devices are required to be installed on motor vehicles while other devices are permitted.

This bill would provide that "lighting equipment" also includes fog taillamps, and would permit the use of such taillamps on any vehicle 80 inches or more in overall width and on any schoolbus, and would prescribe requirements with respect to the installation of fog taillamps.

The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 801 (AB 1881) Hayden. Public utilities. water corporations.

Existing law defines "water corporations." Such corporations are regulated as public utilities.

This bill would be a special act applicable only to a certain water corporation serving a portion of the City of Los Altos. It would provide that such corporation may expand only for certain reasons for a specified period.

The bill would take effect immediately as an urgency statute.

Ch. 802 (AB 1396) Papan. Legislators: compensation.

Under existing law, each Member of the Legislature receives an annual compensation for services of \$23,232.

This bill would, commencing at noon on December 4, 1978, increase the annual compensation of legislators to \$25,555.

Ch. 803 (AB 1144) Vicencia. Transit district insurance.

Existing law requires the Southern California Rapid Transit District to carry uninsured motorist insurance insuring its passengers.

This bill would delete that requirement.

Ch. 804 (SB 914) Foan. Vehicles. renewal of registration, drivers' licenses: suspension, revocation, by Department of Motor Vehicles.

(1) Under existing provisions of the Vehicle Code, no record of the suspension or revocation, by the department, of the privilege to operate a motor vehicle, nor any testimony of, or concerning, or produced at, the hearing terminating in the suspension or revocation, is admissible as evidence in any court in any civil action. There are, however, no comparable statutory provisions with respect to any criminal action.

This bill would add provisions to the Vehicle Code to prohibit any record of any action taken by the department against a person's privilege to operate a motor vehicle, and any testimony regarding the proceedings at, or concerning, or produced at, any hearing held

in connection with such action from being admitted as evidence in any court in any criminal action, except (1) as necessary to enforce provisions of that code relating to operating a motor vehicle without a valid license or when the driving privilege is suspended or revoked, (2) in any prosecution for failure to disclose any matter at such a hearing when required by law to do so, or (3) when introduced solely for the purpose of impeaching the credibility of a witness.

(2) Under existing law, the Department of Motor Vehicles is required to refuse to renew the registration of any vehicle whose registered owner or lessee has been sent or given notice of a violation relating to standing or parking [of a vehicle] * unless the full bail is [and an administrative service fee are] * paid to the department. Also under existing law, the department remits such bail to the jurisdiction in which such violation would have been adjudicated.

This bill would provide for an administrative service fee to be paid to the department when it collects such bail or when it has received a notice of noncompliance and the bail is collected by the clerk of the court or judge. [specify that the department shall remit all such bail collected after deducting the administrative fee. The bill would also provide for the collection of such administrative fee by the clerk of a court (or judge if there is no clerk), and would require that such fee be transmitted to the county treasury.] * The county treasurer would be required to transfer such fee to the State Treasurer for deposit in the Motor Vehicle Account in the State Transportation Fund. Inasmuch as that fund is continuously appropriated, this bill, providing for such deposits therein, would make an appropriation.

(3) This bill would also provide that no appropriation is made for reimbursement of local agencies for costs incurred pursuant to the bill, for a specified reason.

Ch. 805 (SB 829) Rodda. Vehicles: buses: devices affecting traffic control signals.

Existing law regulates the installation and use of lighting equipment on vehicles. There is no provision which presently allows a bus to be equipped with a device capable of sending a signal that interrupts or changes the sequence patterns of an official traffic control signal.

This bill would permit buses operated by a publicly-owned transit system to be equipped with such devices if authorized on specific routes by the Department of Transportation or local authorities, provided that if such devices are flashing gaseous lamps, such lamps do not emit visible light exceeding that amount specified by the Department of the California Highway Patrol. The bill would also require any bus or system operating under the conditions specified by the bill to allow designated emergency vehicles to have priority in changing the sequence pattern of such signals.

The bill would prohibit any person from using, and any vehicle (other than an authorized emergency vehicle) from being equipped with, any device capable of sending a signal that interrupts or changes the sequence of an official traffic control signal, unless the device or use is authorized by either the Department of Transportation or local authorities. Any willful violation of such prohibition which results in injury, or death, of a person would be punished by imprisonment in the state prison, or imprisonment in the county jail for not more than 6 months.

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for specified reason.

Ch 806 (SB 355) Rains. Juvenile Court Law.

Under existing law a person who is a ward or dependent child of the juvenile court who is detained in or committed to a state hospital or other state facility is prohibited from coming or remaining in contact, as defined, with any adults involved in designated sex related offenses

This bill would exclude work furlough programs from the definition of the term "contact."

Ch. 807 (SB 1238) Behr. School buildings: Field Act.

Currently, the law prohibits, with certain exceptions, the use, after June 30, 1975, of school buildings which do not conform to the structural standards of the so-called Field Act.

An exception exists in the case of a school district which has let a contract for the replacement of a nonconforming school building and the State Allocation Board has authorized the continued use of the nonconforming building pending its replacement. Under such circumstances, the State Allocation Board may authorize the continued use of the nonconforming building only until completion of the replacement facilities, or until June 30, 1977, whichever occurs first.

This bill, which would apply only to two rural elementary schools, would permit the continued use of the buildings of those schools beyond the existing statutory deadlines; provided that such continued usage would not be authorized beyond June 30, 1979, unless reconstruction of the buildings had been completed by that date.

The bill would take effect immediately as an urgency statute.

Ch. 808 (SB 1074) Holden State-mandated local program reimbursements.

Existing statutory law requires that the state reimburse local agencies for costs incurred by such agencies pursuant to legislation containing any state-mandated local program, as defined.

This bill would appropriate a specified amount from the General Fund to the Controller, the Department of Benefit Payments, and the Judicial Council for payment of specified claims and costs of local agencies.

This bill would take effect immediately as an urgency statute.

Ch. 809 (SB 976) Sieroty. Schools: health education.

Under current law, public schools are required to provide health instruction to pupils in the elementary and secondary grades.

In addition to such requirement, this bill would:

(a) Prescribe the content of comprehensive health education programs, as defined, to be conducted in kindergarten and grades 1 through 12, inclusive, and would require each school district that wishes to receive reimbursement for health education in-service training to develop a plan for conducting such a program.

(b) Require the Department of Education to prepare and to distribute to school districts guidelines for the preparation of comprehensive health education plans no later than 90 days after the effective date of this act, and to assist school districts in the development of such plans which would be designed to include certain specified instruction. In addition, the department would be responsible for the preparation and distribution of health education materials and for providing financial assistance for in-service teaching programs carried out with districts having approved plans.

(c) Require the department to reimburse certificated personnel from school districts having approved plans for necessary travel and expenses resulting from participation in programs sponsored by the department. Such reimbursements would not include the cost of hiring substitute classroom teaching personnel.

(d) Require the Legislative Analyst to make a specified report to the Legislature by April 1, 1979.

(e) Appropriate \$100,000 † to the Department of Education without regard to fiscal years for the purpose of carrying out such program

Ch. 810 (SB 289) Dills. Redevelopment: powers.

Section 16 of Article XVI of the State Constitution empowers the Legislature to authorize a redevelopment plan to provide for a division of property tax revenues within a redevelopment project area, with a prescribed portion of such tax revenues to be allocated to the redevelopment agency to repay indebtedness incurred by the redevelopment agency to finance or refinance such redevelopment project. This method of financing redevelopment is commonly known as "tax-increment financing" and is presently authorized by the Community Redevelopment Law. Under such law, redevelopment agencies are empowered to provide, undertake, or make provision with other agencies for the installation or construction of streets, utilities, parks, playgrounds, and other public improvements necessary for carrying out the redevelopment plan in the project area. Such law currently provides that a redevelopment agency may use "tax-increment" revenues outside the redevelopment project area from which they were derived for three express purposes, including (1) the cost of land and installation or construction of public buildings, facilities, structures, or other improvements which the

† Appropriation deleted by action of the Governor

legislative body of the community determines will benefit the redevelopment project area or the immediate neighborhood in which it is located, provided no other reasonable means of financing such improvements is available to the community, (2) to provide replacement housing for low- and moderate-income housing destroyed by redevelopment, and (3) to provide other low- and moderate-income housing determined by the agency and the legislative body of the community to be of benefit to the project.

This bill would authorize the redevelopment agency of the City of Paramount to expend tax-increment revenues to finance specified public improvements anywhere within the agency's territorial jurisdiction. To be eligible for such use of tax-increment financing, the redevelopment agency would have to determine by resolution that such public improvements will enhance the environment of a residential neighborhood containing low- and moderate-income housing and will be of benefit to the redevelopment project area from which the tax-increment revenues are derived. The bill would apply to redevelopment projects created both before and after its effective date.

This bill would remain in effect only until January 1, 1981, and would be repealed on such date, unless extended by bill chaptered prior to such date.

Ch 811 (AB 1407) Cordova. Municipal courts: Orange County.

Existing law does not provide for the appointment of a court commissioner in the Orange County Harbor Judicial District.

This bill would permit the judges of the Orange County Harbor Judicial District to appoint 1 court commissioner in lieu of appointing a traffic referee or a traffic trial commissioner.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act

Ch 812 (AB 1046) Alatorre. Public Employees' Retirement System. benefits.

Existing Public Employees' Retirement Law defines "compensation" for retirement purposes.

This bill would also include within the term, salary withheld from 9-, 10-, and 11-month school employees in order for such employees to receive 12 equal monthly payments.

The bill would provide that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to the act for a specified reason

Ch 813 (AB 943) Fazio. Cal-Vet. purchases

(1) Under existing law, the purchase price of a mobilehome to the Department of Veterans Affairs for a veteran pursuant to the Veterans' Farm and Home Purchase Act of 1974 may not exceed \$12,500 and must be amortized over not more than 15 years.

This bill would instead permit the purchase of a mobilehome, as defined, for not to exceed \$30,000 amortized over not more than 25 years. It would specify that a mobilehome for these purposes may be composed of one or more modules, as defined.

(2) Existing law generally requires a 5% initial payment on a home under the Cal-Vet program.

This bill would continue the 5% downpayment requirement only for homes costing more than \$35,000 to the department, and would require a 3% downpayment for those costing \$35,000 or less.

(3) Existing law permits the department to expend up to \$35,000 or, in the case of property subject to a participation contract, \$25,000 or 95% of market value, whichever is lower, for the purchase of a home.

This bill would allow the department to expend up to \$43,000 for a home and would delete the limitation of \$35,000 or 95% on the purchase of property subject to a participation contract

(4) Presently, the purchase price of a farm to the department may not exceed \$80,000 and requires a 10% initial payment.

This bill would raise the amount the department may pay for a farm to \$120,000 and would reduce the purchaser's required initial payment from 10% to 5% of the selling price.

The bill would take effect immediately as an urgency statute.

Ch 814 (AB 2029) V. Thomas. Appropriation. Department of Justice.

This bill would appropriate \$160,000 to the Department of Justice to pay the claim of Betty Riddle against the State of California.

[This bill would go into effect immediately as an urgency statute.] *

Ch. 815 (AB 1181) Rosenthal. Clinical laboratories.

Under existing law, the State Board of Public Health regulates the limited laboratory activities in which unlicensed laboratory personnel working in clinical laboratories may engage.

This bill would specifically include histocompatibility technicians within such class of unlicensed laboratory personnel. The bill would establish a histocompatibility laboratory director's license and require the director of a histocompatibility laboratory to meet specified education and experience requirements.

Under existing law the State Department of Health is required to establish by regulation the limited activities in which cytotechnologists may engage and provides that such persons may engage in such activities only under the supervision of a licensed technologist or a person authorized to direct a laboratory who is functioning as a technologist.

This bill would revise such provisions to specify that persons meeting standards established by the department may perform the necessary procedures relating to the preliminary evaluation of cellular material only under the supervision of a person authorized to direct a laboratory.

Ch. 816 (AB 597) McAlister. Personal Income Tax Law: adoption expenses.

Under the existing Personal Income Tax Law, adoption expenses, which exceed 3% of the taxpayer's adjusted gross income, are allowed as a deduction in computing taxable income, subject to a maximum deduction of \$500 for married taxpayers filing separate returns, and \$1,000 for all other taxpayers.

This bill would eliminate the 3% limitation for expenses incurred in connection with the adoption of a "hard to place" child as defined, and would permit all such adoption expenses to be allowed as a deduction, subject to a maximum deduction of \$500 for married taxpayers filing separate returns, and \$1,000 for all other taxpayers.

The bill would take effect immediately as a tax levy, but its operative effect will depend upon the time it becomes effective.

Ch. 817 (AB 901) Gualco. Mobilehome park tenancies.

Existing law governing mobilehome park tenancies contains no provisions requiring that a tenant be furnished with a written rental agreement with certain provisions.

This bill would require that each prospective tenant be furnished with a written rental agreement containing all of the following provisions:

(1) A provision specifying that it is the responsibility of the ownership to provide and maintain physical improvements in the common facilities in good working order and condition.

(2) A description of the physical improvements to be provided the tenant during the period of tenancy.

(3) A provision listing those services which will be provided at the time the lease or rental agreement is executed and which will continue to be offered for the period of tenancy.

(4) A provision specifying that the ownership shall, after 10 days' written notice of the matters to be discussed, meet and consult with the tenants on the subjects of the amendment of park rules and regulations, maintenance standards for physical improvements, and the addition, alteration, or deletion of services, equipment, or physical improvements.

This bill would authorize a tenant to commence an action to enforce the bill's provisions or to recover damages for the breach of any of the aforementioned provisions of the rental agreement. It would permit the recovery of attorney's fees and costs for such action under existing provisions of law.

Ch. 818 (AB 594) Knox. County health maintenance organizations, health care service plans.

(1) Existing law contains no express provision authorizing the board of supervisors of

a county to perform acts necessary to enable the county to participate as a health maintenance organization in accordance with specified provisions of federal law.

This bill would authorize the board of supervisors of a county to contract on behalf of the county to participate as a health maintenance organization in accordance with specified provisions of federal law and to provide its enrollees services in addition to those described in specified provisions of such federal law including the authorization of the expenditure by the county of whatever funds that may be required therefor.

Such proposed provisions would be operative only until July 1, 1979, and as of such date would be repealed.

(2) The Knox-Keene Health Care Service Plan Act of 1975 provides that a health care service plan registered under the former Knox-Mills Health Plan Act on June 30, 1976, may continue to operate under the former Knox-Mills Health Plan Act until the Commissioner of Corporations grants or denies its application for licensure under the Knox-Keene Health Care Service Plan Act of 1975

This bill would require operating health care service plans for which such a licensure application has not been granted or denied as of October 1, 1977, to be issued, and operate pursuant to, a transitional license issued under the Knox-Keene Health Care Service Plan Act of 1975, as amended by this bill. Such transitional licenses would terminate upon granting or denial of a regular license or on September 30, 1978, unless the Corporations Commissioner extends such date to allow more time for processing applications.

(3) The Knox-Keene Health Care Service Plan Act of 1975 requires health care service plans registered thereunder to have contractual arrangements to assure that, in the event the plan fails or loses its licensure, the services which the plan is obligated to provide will be performed by others or the cost of such services paid to person's enrolled in the plan.

This bill would postpone such requirement until one year from the effective date of the bill.

(4) This bill would go into effect immediately as an urgency statute.

Ch. 819 (SB 416) Mills Rail service assistance.

The Federal Railroad Revitalization and Regulatory Reform Act of 1976 established a local rail service continuation assistance program which is designed to cover various costs associated with local rail services.

This bill would direct the Department of Transportation, in cooperation with the Public Utilities Commission, to perform the duties required by the federal act in developing, promoting, supervising, and supporting safe, adequate, and efficient rail transportation services. The department would administer a program of projects for rail service assistance financed in whole or in part with federal funds.

The bill would authorize the Governor, Secretary of the Business and Transportation Agency, and the Department of Transportation to enter into such agreements, and do such other acts as may be appropriate, to carry out the rail assistance programs authorized by the federal act.

Ch. 820 (SB 444) Wilson. Unemployment insurance: forgery

Existing unemployment insurance law provides that it is a misdemeanor to willfully make a false statement or representation or knowingly fail to disclose a material fact to obtain or increase unemployment insurance benefits

This bill would provide that such provisions shall not be construed to preclude the applicability of specified provisions of the Penal Code relating to forgery to any such act or omission.

This bill would provide that no appropriation is made for the reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason.

Ch. 821 (SB 417) Holmdahl. Vehicles: market value, original registration, and disposition after abandonment; environmental license plates.

(1) Existing law provides for the depreciation of the market value of a vehicle, for the purpose of determining the amount of the license fee, commencing with the year it was first sold to a consumer as a new vehicle.

This bill would instead provide for depreciation to commence with either the year the

vehicle was first sold to a consumer as a new vehicle or the year the vehicle was first purchased or assembled by the person applying for original registration in this state.

(2) Existing law requires that an application for original registration of certain vehicles be accompanied by a certificate of origin or a true copy thereof.

This bill would instead provide that if the certificate of origin is not in existence, a duplicate of the certificate of origin would be required to be prepared and to accompany the application.

(3) Existing law prohibits reconstructing or making operable any vehicle that is appraised at \$200 or less after notification of the Departments of Justice and Motor Vehicles that it has been abandoned and removed by a public agency.

This bill would delete this prohibition and make a conforming change in reporting requirements regarding a vehicle so removed.

In addition, the bill would make various technical changes and would delete obsolete provisions.

(4) Under existing law, environmental license plates issued by the Department of Motor Vehicles are required to consist of numbers or letters, or any combination thereof, not exceeding 6 positions, and are required to contain not less than 2 positions.

This bill would, commencing July 1, 1978, increase from 6 to 7 the number of positions allowed on such plates issued for vehicles other than motorcycles, and would appropriate \$30,000 from the California Environmental Protection Program Fund to the department for its costs incurred in connection therewith.

Ch. 822 (SB 490) Beverly. Financial institutions

The California Small Loan Law exempts from its provisions designated situations and entities, including loans of credit extended pursuant to a plan using credit cards, as designated, which does not charge a fee for such credit cards in excess of \$25 per year.

This bill would delete the requisite that the fee for such credit cards not exceed \$25 and instead require that any fee be imposed upon the issuance of the card and on annual renewal dates thereafter.

Ch. 823 (SB 486) Greene. Personnel commissions of school districts.

Existing law provides that an accusation in writing against an officer of a district, county, or city, including any member of the governing board of a school district for willful or corrupt misconduct in office, may be presented by the grand jury of the county for or in which the officer accused is elected or appointed.

This bill would make such provisions applicable to a member of a personnel commission of a school district.

This bill would provide that, notwithstanding specified provisions of the law, no appropriation or reimbursement is made to local agencies for a specified reason.

Ch. 824 (AB 477) Dixon. State highways: Route 187.

Under existing law, title to any real property used for the right-of-way of any state highway is vested in the state.

Prior to construction of State Highway Route 187, the City of Los Angeles, under existing law, was required to furnish to the state without cost the necessary right-of-way for the highway. More right-of-way than necessary was furnished by the city to the state.

This bill would relinquish to the city the title to the right-of-way not needed for the highway upon its construction, if the Department of Transportation concurs that the right-of-way being relinquished is not needed for state highway purposes. The bill would require that the right-of-way to be relinquished be precisely described and recorded with the County Recorder of Los Angeles County.

The bill also would include a statement regarding the justification for the relinquishment of the title to the excess right-of-way to the city.

Ch. 825 (AB 735) Deddeh. Vehicles: transportation of hazardous materials; school-buses.

(1) Existing state law defines liquefied petroleum gas as petroleum hydrocarbons or mixtures thereof in liquid or gaseous state having a vapor pressure in excess of 26 pounds per square inch gauge at 100 degrees Fahrenheit.

This bill would, instead, define liquefied petroleum gas as normal butane, isobutane,

propane, or butylene (including isomers) or mixtures composed predominantly thereof in liquid or gaseous state having a vapor pressure in excess of 40 pounds per square inch absolute at 100 degrees Fahrenheit.

(2) Existing state law defines flammable liquid.

This bill would delete such definition and instead define hazardous material, and would also require the Commissioner of the California Highway Patrol to adopt the hazardous materials definitions adopted by the United States Department of Transportation. The bill would require the commissioner to adopt regulations for the transportation of hazardous materials, using such definitions. A violation of any such regulation would constitute an infraction.

(3) Existing state statutory law provides that a vehicle used for the transportation of flammable liquids may display prescribed signs when empty or when transporting any liquid with a flashpoint below 200 degrees Fahrenheit.

This bill would delete such provisions.

(4) The bill would revise the definitions of "explosives," "cargo tank," and "tank vehicle" for purposes of provisions of the Vehicle Code regarding the transportation of certain hazardous materials.

(5) Existing law requires the Department of the California Highway Patrol to regulate the safe operation of motortrucks of 3 or more axles, truck tractors, buses, and specified combinations of vehicles.

This bill would require the department also to so regulate schoolbuses.

(6) The bill would make related, conforming changes and various technical changes.

(7) The bill would make additional changes in Section 34501 of the Vehicle Code, to be operative only if Assembly Bill No 510 is chaptered and becomes effective.

(8) The bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code and no appropriation made for a specified reason.

Ch. 826 (SB 510) Petris. Real estate sales: disclosures.

Existing law makes no provision for the preparation and distribution of a pamphlet or brochure regarding the disclosure of information in residential real estate transactions.

This bill would authorize the Real Estate Commissioner to prepare and distribute such a pamphlet or brochure to sellers, buyers, and real estate licensees for a fee commensurate with the cost of preparation and distribution.

The costs of preparation and distribution would be permitted to be paid from such moneys as may be appropriated from the Real Estate Fund for education and research. Fees collected from sales of the pamphlet or brochure would be paid into the education and research account of the fund.

Ch. 827 (SB 593) Vuich. Fair projects: loans.

Generally, the fees, commissions, and other money received from horseracing under the Horse Racing Law are required to be deposited in the Fair and Exposition Fund. The existing law, in addition to providing for certain designated appropriations from the fund, appropriates, annually, from such fund \$3,000,000 for each of the 1976-77, 1977-78, and 1978-79 fiscal years for loans for allocation to state-supported fairs, by the Director of Finance, to be used for such purposes as the purchase of real property or equipment, major and deferred maintenance, fair capital outlay projects, or emergencies.

This bill would authorize the allocation and use for loans of any such funds appropriated pursuant to the above provisions during any fiscal year of 1976-77 to 1980-81, inclusive, for such purposes.

Ch. 828 (SB 678) Stull. Public improvements: Improvement Act of 1911.

Under the Improvement Act of 1911, "incidental expense" is defined to include sewer service charges established by a city as a condition to providing sewer service for the benefit of properties within the assessment district, and required for the completion and utilization of the improvement constructed, where the construction of sewers has been ordered.

This bill would also include, within the above definition, sewer connection and capacity charges established by a city under the above circumstances.

The bill would, in addition, include similar charges established by a city for water improvements as a condition to providing water services under the above circumstances, where the construction of water improvements has been ordered.

The bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code, nor appropriation made by this bill, to any local agency for any costs incurred by it pursuant to this bill for a specified reason.

Ch. 829 (SB 656) Dunlap. Appropriations: availability.

(1) Under present law, an appropriation for acquisition of real property to the extent encumbered, with approval of the Director of Finance, by filing condemnation proceedings on behalf of the state prior to the expiration of the period of availability of the appropriation remains available from year to year until expended.

This bill would delete the requirement of approval of the Director of Finance.

(2) Under present law, an appropriation for acquisition of real property required to carry out provisions of law relating to relocation assistance is available for encumbrance for 3 years unless specified otherwise in the appropriation.

This bill would extend such period of availability to 5 years without any provision for any other period being specified in the appropriation.

Ch. 830 (SB 765) Wilson. State Banking Department.

Existing law authorizes the Superintendent of Banks to maintain offices of the State Banking Department in the Cities of Sacramento and Los Angeles, and in the City and County of San Francisco.

This bill would authorize the Superintendent of Banks to maintain an office in the City of San Diego.

Ch. 831 (AB 1099) Gualco. Household substances: special packaging standards.

Under existing state and federal law, foods, drugs, cosmetics, hazardous substances, and economic poisons are required to meet prescribed packaging and labeling requirements. Provisions of federal law provide special packaging standards for household substances for protection of children and preempt any state standard which is not identical to an established federal standard.

This bill would enact the California Poison Prevention Packaging Act which would authorize the State Department of Health to adopt regulations establishing special packaging standards for household substances if they do not differ from the provisions and regulations of the Federal Poison Prevention Packaging Act of 1970 and specified findings are made.

The bill would make it misbranding for a food, drug, cosmetic, or hazardous substance to be packaged and labeled in violation of the special packaging standards.

The bill would provide that there would be no appropriation to the State Controller for allocation and disbursement to local agencies to reimburse them for costs incurred by them pursuant to the act because of a specified reason.

Ch. 832 (SB 783) Seroty. Employment agency: use of computer fee.

Existing law permits an employment agency, which as its sole means of procuring or attempting to procure employment for others uses a computer system, to charge either the prospective employer or employee a nonrefundable fee not to exceed \$15 as its sole compensation for services.

This bill would raise such fee limit to not exceed \$20.

Existing law prohibits a license from being issued, transferred or assigned to any person unless written consent is obtained from the bureau.

This bill would make specific provision for the transferral of a single proprietorship license to a corporate license upon proper application to the bureau and specified fee payment.

Existing law makes no provision for license renewal once the previous license has expired.

This bill would permit a licensee to renew his or her license at any time within 5 years of its expiration, without the requirement of written examination, upon proper application to the bureau and specified fee payment.

Ch 833 (SB 1004) Zenovich. Bass Lake Improvement District.

Existing law requires the County of Madera to levy and collect assessments on property in the Bass Lake Improvement District to pay principal and interest on bonds issued pursuant to the Improvement Bond Act of 1915. The county may accept payment on such assessments from any source and credit it to the bond redemption fund. The county currently may not assess costs of administration for acceptance of payments from leaseholders under the owner of the property assessed for partial payments of the assessment of the entire property assessed.

This bill would authorize the county to accept and leaseholders to pay assessments on parts of property assessed, and, when so tendered and accepted, the county tax collector would also be authorized to add a fee for payment of the added costs incurred for accepting and accounting for such partial payments of the entire assessment, such fee to be deposited in the county general fund.

This bill would take effect immediately as an urgency statute.

Ch 834 (SB 1209) Deukmejian Law enforcement: authorized emergency vehicles.

Existing law defines, for purposes of the Vehicle Code, an authorized emergency vehicle as, among other things, any publicly owned vehicle operated by specified persons of various organizations.

This bill would include within such definition any vehicle of the Department of Airports of the City of Los Angeles while operated by peace officer personnel of the Department of Airports under specified circumstances.

Ch 835 (AB 617) Miller Colonel Allensworth State Historic Park.

The Budget Act of 1976 (Ch 320, Stats. 1976) appropriated \$250,000 from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 to the Department of Parks and Recreation for restoration and development at Colonel Allensworth State Historic Park

This bill would appropriate \$460,000 from the Park and Recreation Revolving Account in the General Fund to the department for expenditure during 1978, 1979, and 1980 for the development of real property at that park. This appropriation would be made notwithstanding the requirement of existing law that appropriations from that account be made as separate items in the Budget Bill.

Ch 836 (AB 1100) Egeland Occupational therapy.

No provision of existing law prescribes qualifications for the practice of occupational therapy or restricts the use of any title relating to the practice of occupational therapy, although standards for the reimbursement of occupational therapy services under the Medi-Cal Act are prescribed by regulation.

This bill would require persons representing themselves as occupational therapists or occupational therapy assistants to meet prescribed standards. Violation would be a misdemeanor.

This bill would also prohibit health facilities from advertising or representing occupational therapy services unless provided under the administrative control of the health facility by persons meeting the standards specified by the bill.

The bill would provide that no appropriation would be made by it for reimbursement of costs incurred by local agencies under the bill for a specified reason.

Ch. 837 (AB 1390) Alatorre. Podiatry.

Under existing law the Board of Medical Quality Assurance issues 2 forms of certificates: (a) the physician's and surgeon's certificate, and (b) the certificate to practice podiatric medicine. The latter certificate is issued upon the recommendation of the Podiatry Examining Committee.

This bill would require such committee, by January 1, 1980, to adopt regulations requiring continuing education of holders of the certificate to practice podiatric medicine to be demonstrated for each license renewal.

Ch. 838 (SB 581) Beverly. Unemployment insurance: liability of corporate officers.

Existing law provides that any corporate officer whose duty it is to prepare or to supervise the preparation of unemployment insurance contribution returns, who willfully fails to file the required return and report of wages, shall be held personally liable for all amounts due, owing, and unpaid by such corporation at the time of quitting business, dissolution, or withdrawal.

This bill would instead provide that any officer, major stockholder, or other person having charge of the affairs of a corporate or association employing unit who willfully fails to pay contributions required by the unemployment compensation law or withholdings required by the Personal Income Tax Law, shall be personally liable for the amount of the contributions, withholdings, penalties, and interest due and unpaid by such employing unit.

This bill would also permit the Director of Benefit Payments to assess such officer, stockholder, or other person for such amounts pursuant to specified collection remedies

Ch. 839 (AB 1521) Perino. Deer management.

(1) Under existing law, the taking of antlerless deer, as defined, is excluded from the general regulatory powers of the Fish and Game Commission, except that the commission, in accordance with specified procedures and requirements, may authorize a special hunting season for antlerless deer if it determines such mammals are damaging public or private property, or may authorize antlerless deer hunts under special permits in response to a request from an owner or tenant of land or property that is being damaged or destroyed or is in immediate danger of being damaged or destroyed by deer. The commission may also, in accordance with specified procedures, authorize annual antlerless deer hunts in deer herd management units or areas, which may include either-sex deer permits, following recommendations from the Department of Fish and Game and the conduct of specified hearings. Generally, hearings must be conducted in the affected counties, and with respect to specified counties, the commission may not authorize such taking of deer if the board of supervisors of that county objects to such taking, or if the board of supervisors determines that the proposed order should be modified for that county, the commission must either so modify its order or refuse to authorize such taking of deer.

This bill would instead include antlerless deer within the general regulatory powers of the commission. The bill would delete provisions providing for special antlerless deer hunts and prescribing procedures for authorization of such hunts, would declare state policy relating to deer management, require the department to develop plans for deer herd management units containing specified program elements, and require the department to biennially report to the Legislature on the restoration and maintenance of deer herds. The bill would require the department to determine by February 15th of each year its recommendations to the commission, including whether any antlerless deer hunts should be ordered, would require the department to notify affected counties which presently exercise veto authority of such recommendations, except for any county which elects not to receive such notifications, would authorize such counties to hold a public hearing on such recommendations, and would authorize the boards of supervisors to prohibit the taking of antlerless deer within the county, or to require either the modification of such recommendations or the prohibition of such taking. The bill would require the department, based on the deer herd management unit plans, to recommend to the commission prior to its April meeting, those deer herd units to be placed under a general deer hunting season or to be removed from the general deer hunting season designation, and subject to any resolution adopted by the board of supervisors of an affected county, whether any antlerless deer should be taken and in what deer herd units. The bill would require the recommendation of the department to include specified matters, including the establishment of any hunter-restricted quota units, the number of the quota, and the manner in which quota permits should be issued. The bill would also delete provisions prescribing the procedure for issuance of permits for a special hunt upon complaints by landowners or tenants of depredating deer, and would require the commission to determine the manner of issuing the permits and the fee.

(2) Existing law requires the procuring of deer license tags prior to taking any deer, requires such tags to consist of 2 parts, permits the commission to cause to be designated on each tag the area in which the tag is valid, and permits, upon payment of a specified

fee, a person holding a valid hunting license to procure the number of license tags corresponding to the number of deer that may legally be taken by 1 person during the current license year.

This bill would generally authorize the commission to determine the design and makeup of the deer license tag and to prescribe the procedures for issuance and use. The bill would also limit the number of deer license tags which may be procured to 1 tag for the taking of 1 deer by 1 person during the current license year, but would authorize the commission to make available to a deer tag holder, upon payment of a specified fee an additional tag for the taking of 1 deer in a designated deer herd management unit or group of units, upon determination that a surplus of unharvested deer exists in such unit or group of units.

Ch. 840 (SB 830) Roberti. Carriers.

Under existing law "radial highway common carriers", as defined, establish their own rates until rates are fixed by the Public Utilities Commission. Such carriers are required to secure a permit, rather than a certificate of public convenience and necessity, and are not regulated as a public utility.

This bill would remove the classification of radial highway common carrier, and would allow persons operating as such to file an application for a certificate to continue such operations as a highway common carrier or highway contract carrier without payment of specified fees or further proof of public convenience and necessity if the carrier was in bona fide operation as a radial highway common carrier on July 1, 1978, and continuously thereafter to the date of filing.

Existing law makes no provision for the separate regulation of those persons or corporations engaged in the transportation for compensation over any public highway of agricultural commodities.

This bill would require such carriers to obtain a permit for such activity from the commission to operate as an agricultural carrier, as specified. The bill would also make related and conforming changes.

Ch. 841 (AB 1033) Chimbole. Renewal of medical practitioner's license.

Under existing law an expired license may be renewed within 5 years of expiration by payment of the renewal fee in effect on the last preceding regular renewal date, and payment of the prescribed delinquency fee.

This bill would require the Division of Licensing to notify in writing by certified mail any physician not renewing his or her license within 60 days of expiration. It would also provide that any physician not renewing his or her expired license within 90 days of expiration shall pay specified fees.

Existing law provides that a license renewed during the 5 year period is effective on the date which the application is filed, on the date on which the renewal fee is paid, or on the date on which the delinquency fee, if any is paid, whichever last occurs.

This bill would provide that if a license is renewed, the renewal would be retroactive to the expiration date of the license for any person if renewed within 6 months from the date of expiration.

Ch. 842 (AB 2036) Chimbole. County debt: forgiveness by state

This bill would provide that a \$100,000 debt presently owed by Inyo County to the State of California, because of an overpayment of funds by the state to Inyo County, would be forgiven due to the hardship which would otherwise be imposed on Inyo County.

The bill would make findings and declarations with regard to the above and take effect immediately as an urgency statute.

Ch. 843 (AB 717) Duffy. Health manpower pilot projects

Existing law provides for the exemption of a select number of publicly evaluated health manpower pilot projects from the healing arts practices acts.

This bill would, until January 1, 1983, permit approval of a pilot project permitting the prescription, dispensing, and administering of drugs or devices, with specified exception, by registered nurses, physician's assistants, or pharmacists, under the general supervision of a licensed physician and surgeon.

This bill would expand the types of health care personnel that could be used in a pilot project to include veterinary personnel, chiropractic personnel, podiatric personnel, geriatric care personnel, therapy personnel and health care technicians.

Ch. 844 (SB 1248) Ayala. Water: appropriation, temporary permits.

Existing law provides for appropriative rights to take water from surface waters and from subterranean streams flowing through known and definite channels pursuant to a permit from the State Water Resources Control Board, on such enumerated conditions as contained therein, and to the extent the water appropriated is put to actual beneficial use in accordance with the permit.

Existing law also authorizes the board to issue conditional, temporary permits upon finding an urgent but temporary need to appropriate water for a period not to exceed 6 months and upon other specified findings, which permit shall not result in creation of a vested right and which automatically expires 180 days after issuance unless revoked or renewed. Such permits may not be renewed more than one time.

This bill would authorize the board to renew such temporary permits more than one time by removing the restriction on renewals. The bill would also authorize the renewal without furnishing further data to the board, pursuant to a request therefor, as specified.

The bill would take effect immediately as an urgency statute.

Ch. 845 (SB 579) Behr. Mobilehome parks: administrative regulations.

Under existing law, the Commission of Housing and Community Development is required to adopt administrative regulations with respect to some requirements for mobilehome parks and other requirements for mobilehome parks are set forth in statutory provisions.

This bill would delete certain existing statutory requirements applicable to mobilehome parks and, instead, would have the commission adopt regulations by July 1, 1978, with respect to such requirements. The requirements included in the bill relate to construction, use, occupancy, and maintenance requirements for mobilehome parks and lots, animal control within mobilehome parks, lot access and driveways within mobilehome parks, and public toilets, shower, and laundry facilities in mobilehome parks. The bill would require that the new administrative regulations provide equivalent or greater protection to residents of mobilehome parks than the statutes and regulations existing on December 31, 1977. The administrative regulations would go into effect July 1, 1978, but the provisions being amended or repealed by the bill would remain in effect until the administrative regulations actually take effect.

This bill would revise the exemption from the mobilehome parks law for labor camps to give any labor camp having an annual permit to operate an exemption. The bill would delete the existing exemption from the mobilehome parks law provided to charitable or recreational organizations.

Ch. 846 (AB 1316) McAlister. Energy regulations: buildings. appliances: operating efficiency.

(1) Under existing law, the State Energy Resources Conservation and Development Commission has responsibility for adopting regulations for increasing efficient use of energy in buildings generally, upon assuming jurisdiction from the Commission of Housing and Community Development.

This bill would repeal the statutory authority of the Commission of Housing and Community Development to adopt such regulations for nonresidential buildings and would provide for the transition in application from any regulations previously adopted by the Commission of Housing and Community Development or the State Energy Resources Conservation and Development Commission to the regulations adopted by the State Energy Resources Conservation and Development Commission under the bill.

The bill would vest sole authority in the State Energy Resources Conservation and Development Commission to adopt standards for both residential and nonresidential buildings, require the adoption of standards, and make related changes.

(2) Also under existing law, the State Energy Resources Conservation and Development Commission is required to adopt regulations establishing standards for the minimum levels of operating efficiency for appliances. One year after the regulations are so adopted, no new appliance may be offered for sale in the state unless the manufacturer certifies that the appliance meets such standards.

This bill would provide instead that such standards become effective no sooner than 1 year after adoption or revision or such later date as established by the commission and authorizes the sale of noncertified appliances for 1 year after the effective date of the standards adopted.

(3) The bill would provide that no appropriation is made nor any obligation created under Section 2231 of the Revenue and Taxation Code for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

(4) This bill would take effect immediately as an urgency statute.

Ch. 847 (SB 1072) Holden. State housing law.

(1) Under the existing State Housing Law, a condition which would require displacement of sound walls or ceilings to meet height, length, or width requirements for ceilings, rooms and dwelling units cannot by itself be considered sufficient evidence of dangerous conditions making a building a "substandard building," as defined for the purposes of such law, unless, among other reasons, the building is being moved.

This bill would, by the deletions from such provision of the exclusion of a building which is being moved, prohibit such a condition in a building being moved from being considered by itself sufficient evidence of dangerous conditions making a building a "substandard building," as defined for the purposes of such law.

(2) There is no requirement in existing law that local ordinances or regulations governing the moving of apartment houses or dwellings permit the retention of existing materials and methods of construction.

This bill would require local ordinances or regulations governing the moving of apartment houses and dwellings after July 1, 1978, and regulations of the Commission of Housing and Community Development adopted under the State Housing Law, to permit the retention of existing materials and methods of construction so long as the apartment house or dwelling complies with prescribed rules and regulations and standards and does not become or continue to be a substandard building.

(3) Under existing law, the enforcement agency under the State Housing Law may institute an action to prevent, restrain, correct, or abate a violation or nuisance of the State Housing Law.

This bill would authorize a housing appeals board, which would be defined by the bill, to provide for deferral of the effective date of orders of abatement in cases of extreme hardship involving owner-occupants of dwellings. The bill would require that any deferral of an order of abatement be terminated upon the sale of the dwelling by the owner-occupant.

(4) Under existing law, zoning and planning authorities are authorized to grant variances in accordance with the authority conferred by a zoning ordinance.

The bill would authorize a housing appeals board to grant variances from local use zone requirements in order to permit an owner-occupant of a dwelling to construct additional rooms to meet occupancy standards. The bill would not affect the powers of other governmental boards and agencies to grant variances.

(5) This bill would provide that there would be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code and no appropriation made by the act because of a specified reason.

Ch. 848 (SB 332) Nimmo. School apportionments: schoolbuses.

Under existing law, recently created unified school districts receive, in addition to the current expenses of transportation of the district, the cost of schoolbuses for the first 5 years in which it purchases schoolbuses if the purchases are because of changes in the location of schools or the reorganization of attendance areas in the district.

This bill would provide a special 5-year apportionment schedule for the purchase of schoolbuses by the North Monterey County Unified School District

This bill would take effect immediately as an urgency statute.

Ch. 849 (SB 278) Holmdahl. Unemployment disability insurance

Existing law does not provide for the filing of claims for unemployment compensation disability benefits by spouses of claimants who are mentally unable to do so

This bill would require the Director of Employment Development to allow the filing of a claim for such benefits by the spouse of an individual, in the absence of any other

legally authorized representative, when the individual is eligible for, but is unable to make the claim for, such benefits because the individual is mentally unable to make such claim. Payment would be required to be made upon affidavit executed by the spouse or other person claiming to be entitled to the benefits. Receipt of the affidavit would discharge the director from further liability with reference to the payments, without the necessity of inquiring into the truth of the facts stated in the affidavit.

Ch. 850 (SB 352) Holmdahl. Governor: economic report.

Present law requires the Governor to prepare and transmit to the Legislature not later than the 60th calendar day of each year an economic report setting forth a review of economic developments over the past year and forecasts for the upcoming year together with other things.

This bill would revise these provisions to require the Governor to transmit to the Legislature an economic message reviewing significant economic achievements of the past year, outlining problem areas, defining economic policy, and making recommendations on or before each January 20 rather than the 60th calendar day each year, and would also direct the preparation and transmittal of a supplement to the economic message on or before April 15 setting forth a review of economic developments, forecasts of trends in employment, income, and prices, any additional material pertinent to the economy, a report from agency secretaries, and a summary of economic problems deemed appropriate for legislative review but transmitted without recommendation.

SB 760 would direct the Governor to include in the economic report required under present law a summary of the contingency plan for emergency public works and a statement on his revisions to the plan which that bill would require to be prepared and submitted to the Governor.

This bill would incorporate these provisions of SB 760 into this bill with the result that the Governor's summary of and statement on such contingency plan would be included in the supplementary economic message transmitted on or before April 15 of each year if both SB 760 and this bill are chaptered and this bill is chaptered after SB 760.

Ch. 851 (AB 586) Alatorre. Retirement: voluntary retirement.

No provision of existing law prohibits an employer from requiring mandatory retirement at age 65. Existing law prohibits discrimination in employment on the basis of a person's age, but such prohibition is applicable only with regard to persons from 40 to 64 years of age.

This bill would require every employer in this state, except public agencies, to permit any employee who so desires and can demonstrate the ability to do so, to continue his employment beyond the normal retirement date.

The bill would provide that its provisions would not require any changes in any bona fide pension programs or collective-bargaining agreements during the life of the contract, or for two years after the effective date of the bill, whichever occurs first.

Ch. 852 (AB 568) Alatorre. Voluntary retirement.

Under existing law, participants in the Public Employees' Retirement System, the State Teachers' Retirement System, retirement systems established pursuant to the County Employees Retirement Law of 1937, and municipal retirement systems are subject to various mandatory retirement provisions.

This bill would permit system participants to continue in employment irrespective of age as regular retirement system members upon certification of the member's competence in employment by the employing department or agency pursuant to rules and regulations adopted by each respective governing board or the State Personnel Board in the case of state employees. The provisions would not be applicable to public law enforcement and firefighting employees.

This bill also provides that no appropriation is made for the reimbursement of any local agency or school district for any costs incurred by it pursuant to the bill because of a specified reason.

The bill would take effect immediately as an urgency statute.

Ch 853 (AB 100) Calvo. Timber taxation.

Under former constitutional and statutory provisions, immature timber was exempt from property taxation, but mature trees were subject to such tax. However, Proposition 8 on the ballot for the General Election held on Tuesday, November 5, 1974, generally revised California's constitutional provisions relating to taxation and, among other things, added a new subdivision (j) to Section 3 of Article XIII thereof to authorize the Legislature to provide for an alternative system for the taxation of timber and timberland. In Chapter 176 of the Statutes of 1976, the Legislature acted upon this constitutional authorization and enacted an omnibus measure to provide for the special assessment of timberlands for purposes of property taxation, commencing on the lien date in 1977, and to impose a new yield tax on timber, commencing on April 1, 1977.

This bill is partially a clean-up measure for Chapter 176 of the Statutes of 1976 and would correct various erroneous cross-references and make technical changes. However, the bill would also make changes of a more substantive nature.

Chapter 176 presently contains references to the "Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976."

This bill would entitle Chapter 176 as such act.

Chapter 176 presently requires the State Board of Equalization on or before December 31, 1977, and each year thereafter until 1981 to establish a timber reserve fund tax rate. This bill would change such date from 1977 to 1978.

Existing law requires various persons engaged in the timber industry to register with the State Board of Equalization and provide specified information. This bill would, instead, require such persons to provide such information as the board may require.

Chapter 176 presently requires the Controller to establish annual yield tax revenue guarantees.

This bill would revise the determinants used to establish such revenue guarantees.

Existing law requires the county assessor to transmit to the board of supervisors or city council of the county or city where land is located a list of parcels which appear to be used for growing and harvesting timber but are not so assessed.

This bill would permit an owner of land not included on such list to petition the board or council prior to January 1, 1978, to be placed on the list if a timber management plan was prepared for the land before October 15, 1977.

Pursuant to Chapter 176, an owner may petition to have his land zoned as timberland preserve, and if such land meets specified criteria, including certain timber stocking standards and forest practice rules, or the owner must sign an agreement to meet such standards and rules by the fifth anniversary of the signing of such agreement.

This bill would require the county board of supervisors to determine whether a parcel meets such standards on such fifth anniversary date, and would require such board to rezone a parcel which fails to meet such standards.

Chapter 176 authorizes an owner of timberland in a timberland preserve to petition to add to his timberland preserve lands that meet certain criteria

This bill would revise such criteria.

Under Chapter 176, parcels zoned as timberland may not be divided into parcels containing less than 160 acres except in specified circumstances

This bill would change the circumstances in which such division may occur

Existing law authorizes a landowner to immediately remove a parcel of land from a timberland preserve zone.

This bill would revise the procedure required for such rezoning, and would require that certain written findings are made before such immediate rezoning shall be authorized.

Pursuant to existing law, governmental entities may acquire property by eminent domain or other procedures for the location of public improvements.

This bill would limit the circumstances in which a governmental entity may acquire land contained in a timberland preserve.

Present law provides a formula for calculating the average annual property tax revenue attributable to timber for a taxing agency formed subsequent to June 30, 1976

This bill would apply that formula to taxing agencies formed subsequent to June 30, 1975.

Present law requires the Controller to certify to the State Board of Equalization on or before December 2, 1977, and each year thereafter certain deficiencies in the Timber

Tax Fund and the Timber Tax Reserve Fund.

This bill would require such certification on and after December 2, 1976.

This bill would specify that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement of local agencies for costs incurred pursuant to this act, for a specified reason.

Existing law provides for disposition of the proceeds derived under the Timber Yield Tax Law and continuously appropriates such funds for such purpose.

This bill would alter this existing appropriation.

The bill would take effect immediately as an urgency statute.

Ch. 854 (SB 1040) Beverly. Environmental impact reports.

Under the California Environmental Quality Act, all public agencies, state and local, are generally required to prepare or cause to be prepared by contract, and certify the completion of, an environmental impact report on any discretionary project they propose to carry out or approve which may result in a substantial, or potentially substantial, adverse change in the environment.

The bill would exempt from the act activities or approvals necessary to the bidding for, hosting or staging of, and funding or carrying out of, an Olympic Games under the authority of the International Olympic Committee, except for the construction of facilities necessary for such Olympic Games.

The bill would take effect immediately as an urgency statute.

Ch. 855 (SB 1081) Alquist. Liquefied natural gas: site selection process and issuance of permit to construct and operate a terminal.

The California Coastal Act of 1976 authorizes, but does not provide for the determination of the exact location of, 1 liquefied natural gas terminal in the coastal zone.

Under existing law various state and local agencies have authority with respect to determining or approving the location of liquefied natural gas facilities, including zoning authority, planning, regulation of environmental quality, and similar authority.

This bill would grant to the Public Utilities Commission the exclusive power to issue a permit concerning the construction and operation of a liquefied natural gas terminal pursuant to a prescribed permit procedure. The bill would require the California Coastal Commission to study potential sites for the terminal and to make recommendations thereon to the Public Utilities Commission; such activities would be declared to be exempt from the requirements of the California Environmental Quality Act but would be required to reflect certain policies in the California Coastal Act. It would require local governmental participation as specified. It would provide that such permit may contain conditions necessary or appropriate to ensure the public health, safety, and welfare and certain terms and conditions recommended by the California Coastal Commission. The bill would designate the Public Utilities Commission as the lead agency for purposes of the California Environmental Quality Act. The bill would require the Public Utilities Commission to adopt certain safety regulations, establish a monitoring system for the terminal, and to monitor certain costs incurred in connection with the terminal. The bill would grant to an applicant for a permit and the holder of a permit certain powers in the exercise of eminent domain.

The bill would also make legislative findings and declarations regarding liquefied natural gas, and it would require the State Energy Resources Conservation and Development Commission to prepare a study of the state's gas supply and demand.

The bill would provide that if any provision or application of it is held invalid, such invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application.

The bill would make no appropriation for and provide no reimbursement of any local agency for costs incurred by it pursuant to the bill.

The bill would appropriate \$2,880,000 from the General Fund to the California Coastal Commission and the Public Utilities Commission for expenditure for specified purposes and would require reimbursement of the General Fund of a portion of the amount appropriated out of fees; that the bill would authorize the Public Utilities Commission to impose on applicants for the permit.

This bill would take effect immediately as an urgency statute.

Ch 856 (AB 45) Alatorre. Developmentally disabled persons. referrals

The Lanterman Developmental Disabilities Services Act requires the State Department of Health to contract with appropriate private nonprofit corporations for the establishment of regional centers which provide services for developmentally disabled persons. Developmentally disabled persons, except for those judicially committed, cannot be admitted to a state hospital except upon referral of a regional center. Developmentally disabled persons are required to be referred to a regional center upon discharge from a state hospital.

This bill would establish a procedure for referral to regional centers by qualified physicians and surgeons, as defined, of minor patients diagnosed with a developmental disability. The department would be required to send information about such referral procedure to every physician and surgeon and licensed general acute care hospital. Each regional center would be required to maintain records regarding every minor patient referred to it

The bill would, however, declare the intent of the Legislature that the bill shall not prevent a physician from providing care or treatment to developmentally disabled minors or deprive such minors of adequate care through sources other than a regional center.

This bill would provide no reimbursement or appropriation to local agencies for duties, obligations, or responsibilities imposed on them by this bill for a specified reason

This bill would take effect immediately as an urgency statute.

Ch 857 (SB 496) Presley. Weapons. antique firearms

Existing law makes it a felony for any person to manufacture, import into the state, keep for sale, offer or expose for sale, or give, lend, or possess any, among other things, firearms which are not immediately recognizable as a firearm. However, existing law specifically exempts from such prohibition any antique firearm. An antique firearm is defined to mean certain types of firearms manufactured in or before 1898

This bill would revise the definition of antique firearm for purposes of the above exemption to include certain types of replica and fixed ammunition firearms

Ch 858 (AB 409) Bannai. Crimes: witnesses.

Existing law provides that whenever any peace officer is a witness before any court or magistrate in any criminal action or proceeding in connection with a matter regarding an event or transaction which he has perceived or investigated in the course of his duties, where his testimony would become a matter of public record, and where he is required to state the place of his residence, he need not state the place of his residence, but in lieu thereof, he may state his business address

This bill would extend such provisions to a criminalist, questioned document examiner, latent print analyst, polygraph examiner employed by the Department of Justice, a police department, a sheriff's office, a district attorney's office, or an intelligence specialist or other technical specialist employed by the Department of Justice, or a custodial officer employed in a local detention facility and provide an exception to such rule in instances where the probative value of the witness's residential address outweighs the creation of substantial danger to the witness.

The bill would also declare the intent of the Legislature in the matter

Ch. 859 (SB 927) D Carpenter Restraints of trade

Existing law prohibits, as an unlawful conspiracy against trade, the exclusion of any person from a business transaction on the basis of a policy expressed in any document or writing and imposed by a third party where such policy required discrimination against that person on the basis of the person's sex, race, color, religion, ancestry or national origin or on the basis that the person conducts or has conducted business in a particular location

Existing law also prohibits, as an unlawful trust and an unlawful restraint of trade, any person, business, or governmental agency from granting or accepting any letter of credit, or from entering into any contract for the exchange of goods or services, which contains any provision requiring discrimination on the basis of sex, race, color, religion, ancestry, or national origin, or on the basis of a person's lawful business associations, or from refusing to enter into any contract for the exchange of goods or services, on the

ground that it does not contain such a discriminatory provision.

This bill would declare the intent of the Legislature that such provisions be interpreted and applied so as not to conflict with federal law with respect to transactions in the interstate or foreign commerce of the United States to the extent, if any, not preempted by the Export Administration Act of 1969 as amended (50 U.S.C. App. Sec. 2401 et seq.) and any regulations promulgated thereunder.

This bill would also take effect immediately as an urgency statute.

Ch. 860 (AB 1090) McAlister. Dissolution of marriage.

Existing statutory law makes no provision for joinder of an employee benefit plan as a party in an action for the dissolution of marriage.

This bill would delineate a procedure for such joinder and disposition of benefits under the plan.

It would also provide that there is no reimbursement to local agencies for costs incurred because of enactment of the bill for a specified reason.

Ch. 861 (SB 605) Strill. Pupil and student records.

Existing statutes prescribe the extent of access to, and confidentiality of, pupils' or students' records in elementary and secondary schools, community colleges, colleges, and universities.

Existing statutes require school districts, community college districts, colleges, and universities to maintain, for each pupil's or student's records, an access log or record and specifies categories of persons who may inspect such access log or record.

This bill would remove from such categories, school officials with legitimate educational interests in the records.

An existing statute requires school districts to determine which officials or organizations may receive specified directory information.

This bill would include in such requirement, individuals who may receive such information.

An existing statute requires school districts to afford to specified officials and employees access to the particular pupil records relevant to the legitimate educational interests of the requesters.

This bill would change the description of such records to those particular pupil records relevant to the legitimate purposes of the requesters.

An existing statute requires colleges and universities to notify students of their rights under specified statutes relating to student records, upon the student's date of specified enrollment and at least annually thereafter.

This bill would change the initial time for such notice to within two weeks of enrollment.

Existing statutes authorize a community college, college, or university student to waive his right to access to records devoted solely to confidential recommendations for career placement or postsecondary admission.

The bill would include in the records subject to such waiver, records devoted solely to confidential recommendations for the receipt of an honor or honorary recognition.

An existing statute requires colleges and universities to establish procedures whereby students may request removal from their records of certain alleged erroneous information.

This bill would expand such procedures to include the correction of such erroneous information and would specify that the statute applies to grades and other academic evaluations only to the extent that they are alleged to have been incorrectly recorded.

Existing statutes authorize community colleges, colleges, and universities to limit or deny release of specific categories of directory information, based upon a determination of the best interests of students, to any public or private nonprofit organization.

This bill would delete the limitation of such provision to any public or private nonprofit organization.

Existing statutes authorize community colleges, colleges, and universities to release directory information as to current students, unless the student has given written notice that such information shall not be released.

This bill would include former students in such provision.

Existing statutes authorize school districts and community college districts to provide names and addresses of pupils and students to certain private schools and colleges.

This bill would include in such authorization, authorized representatives of such private schools and colleges.

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor any appropriation made by this act, for a specified reason

Ch 862 (AB 1694) Duffy. Health facilities.

Existing administrative regulations of the State Department of Health for skilled nursing and intermediate care facilities require that bedside storage of medications be specifically ordered by the patient's physician and limited to sublingual or inhalation forms of emergency drugs.

This bill would prohibit any regulation adopted with respect to skilled nursing and intermediate care facilities from prohibiting patients from storing nonprescription medications at their bedside unless contraindicated by the patient's attending physician.

Ch. 863 (AB 298) Brown. Limitations of actions.

Existing law provides for a 2-year statute of limitations for any action based upon a contract, obligation, or liability not founded upon an instrument in writing, and a 4-year statute of limitations for any action based upon an instrument in writing. The law also provides that the statute of limitations does not begin to run, nor does a cause of action based upon an attorney's professional negligence accrue, until the plaintiff or potential plaintiff knows, or should know, all material facts essential to show the elements of a cause of action

This bill would provide that an action against an attorney for a wrongful act or omission, other than fraud, shall be commenced within one year after the plaintiff discovers or should have discovered the wrongful act or omission, or four years from the date of the wrongful act or omission. These periods would be tolled during the time that the plaintiff has not sustained actual injury, during the time that the attorney still represents the plaintiff in the same matter, or when the plaintiff is under a legal or physical disability. The four-year period would be tolled if the attorney conceals the facts constituting the wrongful act or omission.

The bill also would provide that these periods of limitations commence to run, in an action based upon an instrument in writing, the effective date of which depends upon some act or event of the future, upon the occurrence of such act or event.

Ch. 864 (AB 1086) Perino. Schools: pupils records.

Existing law prescribes the confidentiality of pupil records in the public schools and under specified circumstances permits access to pupil records to members of a school attendance review board.

This bill would additionally authorize a school district to permit access to pupil records to any volunteer aide, 18 years of age or older, who has been investigated, selected, and trained by a school attendance review board for providing followup services to students referred to such board.

Ch 865 (AB 1502) Ingalls. Transportation: funds: counties and cities.

(1) Under existing law, the revenues from the 1.04¢ portion of the 7¢ per gallon tax imposed under the Motor Vehicle Fuel License Tax Law allocated to the counties and cities may not be expended on roads and streets not included in their select systems of roads and streets.

Federal funds made available under the TOPICS program and allocated to counties and cities for expenditure in urban areas for highway projects to reduce traffic congestion and to facilitate traffic flow are required to be expended on such projects in the select systems of roads and streets.

This bill would remove the requirement that the above allocations be expended for county and city select systems of roads and streets.

(2) Under existing law, a city or county is required to file, with the Department of Transportation, a report and map of its select system of streets or roads in order to be eligible for allocations from the 1.04¢ revenues, and the 0.725¢ portion of the above tax allocated to the cities

The bill would abolish this requirement.

(3) The bill would be an appropriation bill because it would make the above allocations available for a new purpose, expenditures on roads and streets not included in the selected systems. The allocations from the 1.04¢ revenues are made from the Highway Users Tax Account in the Transportation Tax Fund, and the allocations for the TOPICS program are made from the State Highway Account in the State Transportation Fund, both of which accounts are continuously appropriated.

Ch. 866 (AB 733) Tucker. Physical therapy.

Existing law does not authorize physical therapists to penetrate the tissues as a part of the practice of physical therapy.

This bill would authorize physical therapists, to perform tissue penetration, upon the special authorization of a physician and surgeon, for the purpose of evaluating neuromuscular performance provided they are certified by the Physical Therapy Examining Committee and provided they do not develop or make diagnostic or prognostic interpretations of the data obtained. The bill requires the committee to (1) adopt standards for and procedures for such tissue penetration by such physical therapists, (2) establish standards for the certification of physical therapists to perform such penetration, and (3) certify physical therapists meeting such standards.

The bill would also authorize the committee to establish certification and renewal fees for such purposes.

Ch. 867 (AB 1151) Bane. State funds security for deposit

Existing law specifies those securities which are eligible to be received as security for the deposit of state funds in banks and savings and loan associations.

This bill would, subject to certain conditions, include among such eligible securities, promissory notes secured by first mortgages and first trust deeds upon residential real property located in California.

In addition, it would make bonds, debentures, and other obligations of the Government National Mortgage Association established under the National Housing Act as amended and the Federal Home Loan Mortgage Corporation established under the Emergency Home Finance Act of 1970 eligible securities.

Ch. 868 (AB 534) McVittie. Contracts

(1) Existing law requires that a contract between a contractor and an owner or tenant for work upon a building or structure for purposes of performing home improvement work, where the aggregate price exceeds \$500, be evidenced in writing and include, among other things, a schedule of payments.

This bill would provide that such provision shall not be construed to prohibit the parties to a home improvement contract from agreeing to provisions for a deferred payment price as specified.

(2) Existing law relative to such contracts prohibits the receipt by the contractor at any one time of a payment in excess of 100% of the value of the work. Existing law also specifies that finance charges are excluded from the computation of the value of work performed for such purposes. This specific exclusion is to remain in effect only until January 1, 1978.

This bill would extend the provisions terminating the specific exclusion from January 1, 1978, until January 1, 1980, and thus the provision of law which specifically permits the exclusion of finance charges from the computation of the value of work performed for such purposes would continue in effect until January 1, 1980.

(3) Existing law prohibits a retail seller from assessing a finance charge under a retail installment contract or retail installment account until the goods are either in the buyer's possession, are available for pickup and the buyer is notified of the availability, or are delivered or available for pickup within 10 days of the purchase date. Existing law also declares that this prohibition is not to be construed to apply to home improvement contracts. This exclusion of home improvement contracts is to remain in effect only until January 1, 1978.

This bill would extend the provisions terminating the specific exclusion of home improvement contracts from such prohibition from January 1, 1978, until January 1, 1980, and thus the provision of law specifying that such provisions are not to be construed to apply to home improvement contracts and would continue in effect until January 1, 1980.

The bill would make additional changes in Section 7159 of the Business and Professions Code, proposed by SB 367 to be operative only if SB 367 and this bill are both chaptered, and this bill is chaptered after SB 367.

Ch 869 (AB 1719) Rosenthal. Public assistance records.

Under existing law, the State Department of Benefit Payments is authorized to make rules and regulations governing the preservation of all records, papers, files and communications pertaining to the administration of the laws relating to public social services. A county board of supervisors may authorize the destruction or disposition of the case history of any recipient of public assistance who has not received such assistance for 5 years. The board may authorize destruction of the case narrative portions of case records that are 3 years old after audit by the department.

This bill would expressly require counties to maintain public assistance case records and certain fiscal, statistical records relating to the administration of public assistance for 4 years and for longer periods under specified circumstances. It would permit of * a county board of supervisors to authorize destruction of case narrative portions of case records that are 4 years old after audit by the department, except under specified circumstances.

The bill also would prohibit the commencement of any civil or criminal action against any person based on alleged unlawful application for or receipt of public social services, where such person's case record has been destroyed after the 4-year retention period.

Ch. 870 (AB 956) N. Waters. Skiing accidents

Existing law imposes criminal penalties upon a person involved in a vehicle accident resulting in injuries of other persons for leaving the scene of such accident and failing to render reasonable assistance to such persons, but imposes no similar criminal penalties for similar acts or omissions in a skiing accident.

This bill would make it an infraction punishable by fine not exceeding \$1,000 for a person involved in a skiing accident to leave the scene of such accident knowing or having reason to believe that any other person involved in such accident is in need of medical or other assistance, except where such person leaves the scene of the accident to notify the proper authorities or to obtain assistance.

This bill would make it a trespass and a misdemeanor for a skier to knowingly ski in a ski area or on a ski trail having signs posted closing such ski trails or ski areas to public use.

This bill would incorporate additional changes in Section 602 of the Penal Code proposed by AB 817 to be operative only if AB 817 and this bill are both chaptered and become effective January 1, 1978, and this bill is chaptered last.

This bill would provide that there shall be no reimbursement or appropriation because of this act for a specified reason.

Ch. 871 (AB 1335) Vasconcellos. Schools: work permits; work experience education.

Under existing law, a school district superintendent, or a person authorized by the superintendent may issue a work permit to allow the employment of a minor who is otherwise subject to compulsory school attendance.

This bill would, instead, provide that a school district superintendent, a person holding a services credential with a specialization in pupil personnel services authorized by the superintendent, or a certificated work experience education teacher or coordinator authorized by the superintendent may issue work permits to certain minors. In addition, this bill would authorize the superintendent to select a person to issue such permits under specified circumstances when the certificated person designated by the superintendent to issue permits is not available, and in the superintendent's absence in the event a district does not employ or contract with a person holding a services credential with a specialization in pupil personnel services, with a certificated work experience education teacher or coordinator.

Existing statutes authorize any school district maintaining any high school and any community college district to offer work experience education programs in areas outside the district.

This bill would amend the statutes relating to school districts, to specify that such programs may be conducted either within this state or in a contiguous state.

Ch. 872 (AB 1424) Lancaster. Weights and measures.

(1) Existing law requires the Department of Food and Agriculture to test and certify measurement standards for devices used for weighing or measuring in this state.

This bill would authorize the department to certify laboratories to perform measurement services which are determined to be beyond existing equipment capabilities of the department, or when warranted by financial or workload considerations. The bill would authorize the department to establish fees for such certification and fees that may be charged by such a certified laboratory. The bill would provide that measurements performed and standards certified by any such certified laboratory are to be prima facie evidence of accuracy in any prosecution for a violation of provisions relating to weights and measures.

(2) Existing law defines standard units of weight and measures.

This bill would repeal such provisions and incorporate by reference federal standards of weight and measure.

Ch. 873 (AB 1204) Chappie. Vehicles: manufacturers.

(1) Under existing law, vehicle manufacturer is defined as any person who manufactures or assembles new motor vehicles subject to registration under the Vehicle Code and who maintains representatives for the purpose of contacting dealers or distributors in this state or grants franchises to dealers or distributors in this state. The scope and application of such definition is limited to Division 2 (commencing with Section 1500) of the Vehicle Code which, among other things, relates to regulations by the New Motor Vehicle Board of certain activities of such manufacturers. Under existing law, generally, all vehicle manufacturers are subject to various provisions of the Vehicle Code which impose certain requirements, including licensing by the Department of Motor Vehicles, and bestow various benefits and privileges.

This bill would delete the above definition and, instead, define a manufacturer as any person who produces from raw materials or basic components a vehicle of a type subject to registration under the Vehicle Code, or who permanently alters (other than by permanently attaching a camper to a vehicle) for purposes of retail sales, new commercial vehicles by converting the vehicles into housecars which display the insignia of approval required by specified provisions of the Health and Safety Code and any regulations issued pursuant thereto by the Department of Housing and Community Development.

The bill would also provide that unless a vehicle manufacturer either grants franchises to franchisees in this state, or issues vehicle warranties directly to franchisees in this state or consumers in this state, such manufacturer shall have an established place of business or a representative in this state.

All such manufacturers would be subject to the various provisions of the Vehicle Code which regulate manufacturers, including the imposition of licensing requirements. Any license fees required to be paid by such persons to the department could ultimately be deposited in the State Highway Account in the State Transportation Fund, which is continuously appropriated; and, therefore, the bill would make an appropriation.

(2) Under existing law contained in the Song-Beverly Consumer Warranty Act, various warranty requirements are imposed on manufacturers and retailers of motor vehicles.

This bill would require that any vehicle manufacturer who alters new vehicles into housecars, in addition to any new product warranty, assume any warranty responsibility of the original vehicle manufacturer for any and all components of the finished product which are, by virtue of any act of the alterer, no longer covered by the warranty issued by the original vehicle manufacturer.

(3) Existing law prescribes various grounds under which the Department of Motor Vehicles may suspend or revoke a vehicle manufacturer's license. One such ground is that the licensee has willfully violated the terms and conditions of any written warranty as set forth in the Song-Beverly Consumer Warranty Act. In addition, certain acts committed by a vehicle dealer, manufacturer, manufacture branch, distributor, distributor branch, or transporter are unlawful and a violation of the Vehicle Code.

This bill would authorize the department to suspend or revoke a vehicle manufacturer's license if the manufacturer has willfully violated the terms and conditions of any warranty responsibilities as set forth in the Song-Beverly Consumer Warranty Act. The

bill would also make it unlawful and a violation of the Vehicle Code for a vehicle dealer, manufacturer, manufacture branch, distributor, distributor branch or transporter to display for sale, offer for sale, or sell, a housecar which has been manufactured in 2 or more stages unless prescribed requirements are met. The bill would also make a related change.

(4) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor any appropriation made by the act for a specified reason.

Ch. 874 (AB 1515) Thurman. County agricultural commissioners: salary.

Under the existing law, generally, the Director of Food and Agriculture is authorized to enter into cooperative agreements with the boards of supervisors of any county which relate to the increase of the compensation of the county agricultural commissioner or which relate to compensation of the commissioner for services which are performed for the Department of Food and Agriculture. The present law authorizes the director to agree to pay to the county a sum of not to exceed \$3,300 per year to be used to increase the salary of the commissioner or to compensate the commissioner for services to the department and provides for similar authorization in cases where no salary was established for the position for January, 1959.

This bill would increase the maximum limit to \$6,600 per year which the director would be authorized to agree to pay to the county for the salary of the commissioner or to compensate the county for services which are performed for the department.

It would appropriate \$174,900 from the General Fund to the department for purposes of carrying out the provisions of this bill for fiscal year 1978-79.

Ch. 875 (SB 101) Rodda. School building aid.

Existing law validates certain final apportionments of state school building aid based on conditional apportionments made prior to January 1, 1977, and validates certain final apportionments of school building aid funds re structurally inadequate school facilities based on conditional apportionments made prior to January 1, 1977, authorized by the same majority vote of qualified electors as required at a district bond election.

This bill would extend such validation to such apportionments made prior to January 1, 1978.

Ch. 876 (AB 1980) Perino. Agricultural products: processors: dealers: trust fund.

The existing law requires every processor and commission merchant or dealer of any farm product to execute and deliver to the Director of Food and Agriculture a surety bond to be used to indemnify producers in case the purchaser defaults in the payment for the farm products.

This bill would repeal such provisions requiring surety bonds and would, generally, do the following:

(1) Create the Farm Products Trust Fund in the Department of Agriculture Fund, a continuously appropriated fund.

(2) Require designated licensed processors and commission merchants or dealers of farm products to pay an annual fee which shall be deposited in the products fund.

(3) Provide for indemnification, of up to prescribed maximum, to producers when a purchaser subject to the provisions of this bill defaults in the payment for any farm products.

(4) Authorize the director to appoint a Farm Products Trust Fund Review Board, with prescribed membership, to advise him on the administration of the products fund.

(5) Require the money derived from license fees for processors and produce dealers be expended for, among other things, the administration and enforcement of the provisions of this bill.

(6) Provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be an appropriation made by this bill for a specified reason.

(7) Provide that this bill would take effect immediately as an urgency statute.

Ch. 877 (SB 285) Ayala. Property taxation: county procedures.

Existing law requires the State Board of Equalization to prescribe rules and regulations to govern local boards of equalization when equalizing the assessment and taxation of property.

This bill would specify that the State Board of Equalization shall prescribe uniform procedures for the consideration and adoption of written findings of fact by local boards of equalization.

Existing law requires a county board of equalization to equalize the assessment of property by determining the full value of an individual property and adjusting the assessed value of such property, upon application for a reduction in an assessment of such property.

This bill would require such local board of equalization to determine the full value of an individual property without limitation by reason of the applicant's opinion of value stated in such application for reduction in assessment.

Existing law requires the county board to make its findings in writing when so requested by a party.

This bill would provide that if the county board fails to make findings upon request or such findings are found by a reviewing court to be deficient, reasonable attorney's fees be allowed against the county for services necessary to obtain proper findings.

Ch. 878 (AB 1928) Calvo. Local assistance grants.

(1) Pursuant to existing law \$85,000,000 in the State, Urban, and Coastal Park Fund is available for grants to counties, cities, and districts for the acquisition, development, or restoration of real property for park, beach, recreational, and historical resources preservation purposes.

This bill would amend and supplement the Budget Act of 1977 by adding a section thereto to appropriate \$1,923,885 from that fund to the Department of Parks and Recreation for grants to specified local governmental entities for certain projects. The bill would require that the projects be reviewed by the Director of Parks and Recreation and that they conform to specified provisions of law. The bill also would revert to the unappropriated balance of that fund the unencumbered balance of a specified appropriation made in the Budget Act of 1977.

(2) The Budget Act of 1974, as amended and supplemented by Chapter 1522 of the Statutes of 1974, appropriated \$350,000 from the State Beach, Park, Recreational, and Historical Facilities Fund of 1974 for a grant to the City of Oakland for Caldecott Park

This bill would revert the unencumbered balance of that appropriation to the unappropriated balance of that fund and would appropriate \$80,000 from that fund for a grant to the City of Oakland for San Leandro Bay Regional Shoreline, subject to review and approval by the Secretary of the Resources Agency.

(3) The act would take effect immediately as an urgency statute.

Ch. 879 (SB 392) Campbell. Burn and smoke inhalation injuries: reports to State Fire Marshal.

Existing law does not require that burn injuries and deaths from burn injuries be reported to the State Fire Marshal.

This bill would require the State Fire Marshal to establish and maintain a registry of burn injuries and deaths from burn injuries, and to annually compile a statistical report of such injuries and deaths.

The bill would require that a burn center, as defined by the bill, examining, treating, or admitting a person with a burn or smoke inhalation injury or a person who suffers a burn related death to make a report to the State Fire Marshal on a form developed by the State Fire Marshal in cooperation with the burn centers. The burn center would be required to file a report with the State Fire Marshal on such burn or smoke inhalation patients at the end of examination or treatment or at the time of discharge or at the time of a patient's death.

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act

Ch. 880 (AB 1795) Ingalls. Vehicles: dealers.

(1) Under existing law, if a motor vehicle franchisor seeks to enter into a franchise establishing an additional motor vehicle dealership or relocating an existing motor vehicle dealership within or into a relevant market area (defined as any area within a radius of 10 miles from the site of a potential new dealership) where the same line-make motor vehicle is then represented, the franchisor is required to first notify the New Motor Vehicle Board and each existing franchisee of such motor vehicles in such area. Existing law specifies various procedures to be followed by the board whenever a franchisee has filed with the board a protest against a franchisor's establishing or relocating an additional dealership.

This bill would, for purposes of such provisions relating to the relocation of an existing dealership, exempt from such notification requirement the relocation of an existing dealership which is less than 1 mile from its existing location and which is to a location within the same relevant market area within the same city where the existing dealership is located.

(2) Under existing law, new passenger vehicles sold or registered after September 1, 1973, are required to have an appropriate energy absorption system enabling it to be driven directly into a specified barrier at 5 miles per hour without sustaining property damage, a defined term.

This bill would delete the definition of property damage and would require such vehicles to meet the requirements for energy absorption systems set by the National Highway Traffic Safety Administration.

Ch. 881 (SB 299) Wilson. Discrimination.

Existing law makes persons, firms, or corporations liable for actual damages resulting from each and every denial or interference with the rights of a totally or partially blind or visually handicapped person or other physically disabled person under certain enumerated provisions of law. It also authorizes punitive damages in such instances up to a maximum of \$500.

This bill would increase the maximum amount of punitive damages to \$1,000.

It would also make a statement of legislative intent with regard thereto.

This bill would take effect immediately as an urgency statute.

Ch. 882 (SB 598) Behr. Striped bass: sale.

Existing law generally makes it unlawful to buy or sell striped bass or to possess striped bass in fish markets or restaurants, but permits imported striped bass to be possessed and sold pursuant to regulations of the Fish and Game Commission.

This bill would delete such exemption for imported striped bass, but would exempt from such prohibition artificially propagated striped bass and striped bass raised for sale for scientific study by either a licensed domestic fish breeder or a person licensed to engage in cultivating marine life.

Ch. 883 (SB 239) D. Carpenter. Subdivision maps.

Existing law provides that an approved or conditionally approved tentative subdivision map will expire after a specified period of time.

This bill would provide that the period of time after which a tentative map would expire would be extended by any period during which a water or sewer moratorium is in effect, provided the moratorium does not exceed 5 years. In any case, if a moratorium has been in effect, the tentative map would be valid for at least 120 days.

The bill would apply to tentative maps approved or conditionally approved prior to January 1, 1978, including any map which expired during a moratorium imposed after April 1, 1977.

Ch. 884 (SB 511) Wilson. Juvenile court law: probation.

Under existing juvenile court law, probation officers must make such periodic reports to the Bureau of Criminal Statistics as the bureau may require and upon forms furnished by the bureau.

This bill would specify that such reports are not to contain any personally identifying information regarding proceedings to declare a minor a ward of the court or to declare a minor a dependent child of the court.

Ch. 885 (SB 891) Nimmo. Dairy products: frozen dairy dessert: mix.

(1) The existing law, generally, provides for standards for various frozen dairy products and sets forth labeling requirements for such products.

This bill would designate the ingredients from which frozen dairy dessert may be prepared and would set forth standards for frozen dairy dessert. The bill would also provide for labeling standards for the sale of such product.

Furthermore, it would require that frozen dairy dessert mix, which is used in the manufacture of frozen dairy dessert, comply with all the requirements for frozen dairy dessert provided for by this bill.

(2) Under the existing law, certain designated milk products that are manufactured in a freezing device from which such products are served directly in a semifrozen state, without packaging of any type, for consumption on the premises in or from rooms where food is served to the public, are exempt from specified provisions regulating standards for milk products plants. Existing law requires all such mixes so used to be received from a licensed manufacturer of milk products, and specifies a special fee for a semifrozen milk products plant license, which fee is continuously appropriated for specified purposes.

This bill would include frozen dairy dessert, which is manufactured from frozen dairy dessert mix, that meet such requirements within such designated products.

(3) Existing law requires that frozen yogurt mix and low-fat frozen yogurt mix be manufactured into a semifrozen state without adulteration and prohibit the reuse of freezing devices salvage as a mix. Existing law also requires any person manufacturing and serving such desserts to post, in a specified manner, a sign and to include on such sign a list of the ingredients in the desserts.

This bill would include frozen dairy dessert mix and frozen dairy desserts within such provisions.

(4) The bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

Ch. 886 (SB 953) Song. Licenses.

Existing law provides for the issuance of various licenses and certificates pursuant to the provisions of the Business and Professions Code.

This bill would specify that each entity authorized to issue a license or certificate pursuant to such code may publicly reprove a licentiate or certificate holder thereof for any act which would constitute grounds to suspend or revoke a license or certificate. It would also specify that all proceedings for reproof, reproof and suspension or public reproof and revocation be conducted in accordance with the Administrative Procedure Act.

Ch. 887 (SB 291) Briggs. Education: property taxes.

Existing law specifies rules concerning computation of days of attendance of pupils for purposes of determining school district revenue limits.

This bill would provide that any school district property tax revenues which were based on attendance prior to July 1, 1975, of pupils at the North Orange County Regional Occupational Program under designated circumstances are validated and confirmed.

This bill would take effect immediately, as an urgency statute.

Ch. 888 (SB 328) Johnson. Property taxation: possessory interests.

Existing law provides for an authorization to local government for the assessment or reassessment of property which has been damaged or destroyed by misfortune or calamity.

This bill would provide such an authorization for the assessment or reassessment of a possessory interest in land owned by the state or federal government when the permit or other right to enter upon the land has been suspended because of a misfortune or calamity.

The bill would further provide that, notwithstanding Sections 2229 and 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to those sections nor any appropriation made by this bill for a specified reason.

The bill would take effect immediately as an urgency statute.

Ch. 889 (SB 1107) Song. Courts.

Existing law provides a procedure under which summary judgment may be entered by a court against each bondsman named in a bail bond in the amount for which the bondsman has bound himself following a declaration by the court of the bond's forfeiture and the lapse of a specified time within which the forfeiture may be set aside. The court required to enter the summary judgment is the court which has civil jurisdiction to render judgment in an action arising upon a contract of similar nature and amount whether such court is or is not the court which declared the forfeiture.

This bill would provide that the court declaring the forfeiture of the bond shall enter such summary judgment regardless of the amount of the bail.

Existing law establishes a procedure for the setting of a hearing date for a small claims court action prior to service of the defendant.

This bill would establish a procedure which would permit, in the alternative, a hearing date for a small claims court action to be set after proof of service of the defendant is received.

Existing law requires the Judicial Council by rule to provide for specified court positions for small claims courts operating as experimental project districts for purposes of an experimental project involving a modified small claims court procedure.

This bill would authorize the Judicial Council to provide by rule for such court attaches and employees, in addition to those provided for by statute or by rule, as designated above, as are necessary to implement the provisions governing the small claims court experimental project.

This bill would incorporate the changes to Section 116 4 of the Code of Civil Procedure proposed by AB 317, to become operative if both bills are chaptered and this bill is chaptered last.

This bill would make related changes.

Ch. 890 (SB 38) Gregorio. Driving under the influence.

(1) Existing provisions of law authorize courts in certain counties selected by the Office of Alcoholism for demonstration purposes during 1976 and 1977 to permit any person who is convicted of a first or subsequent offense of driving under the influence of intoxicating liquor or under the combined influence of intoxicating liquor and any drug to participate in, for at least one year, a public or private program for the treatment of problem drinking or alcoholism, in lieu of suspending his driving privilege. Each such person is required to meet certain standards of the office, and courts are required to supervise persons participating in a program.

This bill would recast such provisions to accomplish all of the following:

(a) Extend the program statewide and include supervision of persons convicted of that offense.

(b) Permit a court to require proof of ability to respond in damages as a condition to participation in a program

(c) Permit transfer of jurisdiction over a convicted person to another county for participation in its program.

(d) Specify additional standards and require the office to approve programs pursuant to the standards.

(e) Provide that in any county using the program, the county alcoholism program administrator (or, if no such administrator has been appointed, the head of the health-related agency or department designated pursuant to specified provisions of law) shall assure compliance of the program with the office's standards.

(f) Require the office to designate the portion of fees charged to participants that may be retained to reimburse county administrative costs

(g) Permit the establishment of joint programs by 2 or more counties and the furnishing of program services under contract.

(h) Provide that the bill's provisions apply only to persons alleged to have committed that offense on or after January 1, 1978, and subsequently convicted for that offense, or alleged to have committed that offense on or after the date when a program, to which such a person may be referred, has been approved, and subsequently convicted for that offense, whichever date is later.

(2) Existing provisions of law state that the program established thereby is not intended to restrict or supersede any other program or procedure relating to treatment of

drinking drivers in the criminal justice system.

This bill would delete those provisions.

(3) Existing law permits a person to be admitted to the program only once

This bill would permit a person only to be admitted or readmitted to the program until 4 years after such person ceases prior participation in a program

(4) Existing law prescribes a term of imprisonment of not less than 48 hours nor more than 6 months for a first conviction for driving while under the influence and a term of imprisonment of not less than 48 hours nor more than one year for a second or subsequent such conviction. Circumstances whereby a court is authorized to avoid imposition of the minimum term of imprisonment for a second or subsequent conviction within 5 years of a prior conviction are specified

This bill would authorize a court to suspend execution of the sentence with respect to the term of imprisonment of any person convicted of a second such offense who consents to participate in a program approved pursuant to the bill's provisions.

(5) The bill would require the office and the Department of Motor Vehicles to report jointly to the Legislature on implementation of the bill

Ch. 891 (SB 1053) Roberti. Criminal investigations and state agencies.

Existing law authorizes the head of each state department to make investigations and prosecute actions concerning business matters and subjects under its jurisdiction, violation of laws, rules, or orders of the department, and other matters as provided by law, and authorizes the head of each state department to request the aid of the Attorney General or district attorney in any investigation, hearing, prosecution, or trial under the laws which the department is required to administer.

This bill would permit at the request of a prosecuting attorney or the Attorney General, any state agency, bureau, or department to conduct or assist in conducting an investigation of any unlawful activity involving matters within or reasonably related to the jurisdiction of the agency, bureau, or department. The investigation may be conducted in cooperation with the prosecuting attorney or the Attorney General

Ch. 892 (SB 91) Presley. Domestic violence pilot centers

Existing law makes no provision for the establishment or funding of domestic violence project centers.

This bill would provide for the establishment and funding, on a demonstration basis, of a statewide network of not less than 4 nor more than 6 domestic violence project centers. The State Department of Health would be required to contract with public or private nonprofit agencies for the purpose of funding such pilot project centers, in designated locations within the state. The Director of Health would be required to consider designated factors in determining which applicants for the establishment of centers will receive state funds

The bill would specify the primary purposes of the centers and would specify required programs for the centers. The bill would also require the centers to submit quarterly reports and a final report on or before October 1, 1979, to the department, and would require the department to submit a report on or before January 1, 1980, to the Legislature.

The bill would provide that it will remain operative only until June 30, 1980, and that as of such date is repealed.

The bill would appropriate \$280,000 from the General Fund to carry out the purposes of the bill.

Ch. 893 (SB 44) Behr. Embalming expenses.

Existing law provides that the expense of embalming a dead body by a coroner is a county charge when the body is that of a person not more than 14 years old or that of a person for whose burial there is available less than \$150. In other cases, the coroner may embalm the body and charge the person entitled to its custody \$100

This bill would provide that whenever the coroner takes custody of a dead body, he shall make a reasonable attempt to locate the family within 24 hours. At the end of 24 hours either the coroner or a mortician authorized by him, may perform the embalming. The bill further provides that if embalming has been requested by the family or a person authorized to take charge of the body prior to such embalming, and such family

or person has agreed to accept such expense the coroner may charge up to \$100, unless he has not located the family in 24 hours, in which case he may charge only up to \$30.

This bill would also provide that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason.

Ch. 894 (AB 65) Greene. Public schools: financial support.

(1) The State Controller is required by various statutes to transfer annually various amounts from the General Fund to the State School Fund. Current law provides for certain transfers per unit of statewide average daily attendance to be used for foundation program increases. For the 1977-78 fiscal year the total of such amounts is \$598.92 per unit of statewide average daily attendance.

This bill would provide for additional transfers of \$29.19 in the 1977-78 and 1978-79 fiscal years and would provide for further increases to \$40.21 in the 1980-81 fiscal year.

(2) Under existing law, an increase in the foundation program for elementary schools and high schools is provided for. The amount is determined, in the 1977-78 fiscal year, with reference to the prior year's percentage change in the index of "Government Purchases of Goods and Services, State and Local" but between 6% and 8%, at a flat rate of 6%, in the 1978-79 fiscal year and fiscal years thereafter.

This bill would provide instead for an increase of \$75 in the 1977-78 fiscal year, \$154 in the 1978-79 fiscal year, \$119 in the 1979-80 fiscal year, and for an increase of 6% in fiscal years thereafter. This bill would also provide for an additional \$45 increase for districts which meet the criteria for receiving equalization aid.

(3) Current law provides for state basic aid of \$125 per unit of average daily attendance to be apportioned to each school district.

This bill would provide for the reduction of basic aid to \$120, effective for the 1978-79 fiscal year.

(4) Current law provides for a computational tax rate to be used in computing the "district aid" component of the school apportionment formula.

This bill would provide for the adjustment of the computational tax rate to maintain a constant statewide percentage of state support for school districts which receive equalization aid.

(5) Under current law, each school district levies and collects a tax upon the property located within it.

This bill would prescribe a state guaranteed yield supplement for elementary school, high school, and unified school districts, such supplement being based upon a district tax rate computed with reference to a modified computational tax rate. Such program would begin in the 1978-79 fiscal year.

This bill would also prescribe a state guaranteed yield supplement program to fund district contributions to the State Teachers' Retirement System; operative only after the Legislature takes further specified action.

(6) Current law specifies a Master Plan for Special Education.

This bill would provide for annual transfers of \$21.80 in the 1978-79 fiscal year, and \$34.51 in the 1979-80 fiscal year, per unit of statewide average daily attendance, to fund such program.

(7) Under existing law, a revenue limit is computed for each school district, and such revenue limit is used to compute the maximum tax rate of the district. The voters of the district may vote to increase the revenue limit of the district. An inflation adjustment for the revenue limit is prescribed.

This bill would specify a revised method of computing the inflation adjustment to compute the revenue limit for districts with a prior year revenue limit in excess of 120% of the foundation program.

(8) Under existing law, the voters of a school district may vote to increase the revenue limit of the district, and if the resulting revenue limit is 150% or more of the foundation program applicable to the district, a specified portion of the tax revenue is transferred to the State Fund for the Equalization of School Taxes if the proceeds are more than a prescribed average, or the difference is transferred from the fund to the district, if the proceeds are less.

This bill would repeal those provisions, effective July 1, 1978, and provide for a system under which a specified portion of the tax proceeds of districts with a prescribed amount

of assessed valuation per unit of average daily attendance, and with an expenditure level greater than the foundation program, would be transmitted to Section A of the State School Fund. Such system would become operative for the 1978-79 fiscal year.

This bill would also provide for a minimum tax rate for school districts with provision for the transfer of tax revenues to Section A of the State School Fund if a specified district tax rate computation is less than the minimum rate. This provision would also become operative for the 1978-79 fiscal year.

(9) Current law prescribes a method of computing the maximum tax rate for county superintendents of schools.

This bill would provide for an increase in the maximum tax rate in order to make required employer contributions to the State Teachers' Retirement System; to be operative for the 1978-79 fiscal year.

(10) Current law provides for monthly transfer of funds from school districts, community college districts, and other employing agencies to the Teachers' Retirement Fund certain specified percentages of the total salaries upon which members' contributions are based.

This bill would provide for additional transfers; operative only after the Legislature takes further specified action.

(11) Current law provides for an early childhood education program to be operated in kindergarten and grades 1, 2, and 3.

This bill would delete the provisions regarding such program.

This bill would enact provisions for the improvement of elementary and secondary education. The improvement program would involve the development of school improvement plans by school site councils. The Superintendent of Public Instruction and the Department of Education would be given various duties regarding the program and various reviews and evaluations of the programs.

Allowances of specified amounts would be made to participating school districts under the program, and this bill would appropriate funds to the Superintendent of Public Instruction for apportionment to school districts for the planning and implementation of the programs, and to the Department of Education for the administrative costs of the program.

(12) Current law prescribes a program for educationally disadvantaged youths. Current law also prescribes a Bilingual Education Act of 1972 and a Chacon-Moscone Bilingual-Bicultural Education Act of 1976.

This bill would delete the Bilingual Education Act of 1972, as of June 30, 1979.

This bill would provide for the substitution of the state funding for bilingual-bicultural education and educationally disadvantaged youth programs by an economic impact aid program, based upon factors similar to those involved in the other programs. The economic impact aid program would involve the computation of state gross need and would prescribe a formula for computing each eligible district's share of the total amount available.

This bill would also make provision for transitional financing until the economic impact aid program becomes fully operational.

(13) Existing law generally requires school districts to adopt performance indicators and minimum academic standards for high school graduation.

This bill would require school districts to adopt standards of proficiency in basic skills, and would require the State Board of Education to prepare and distribute an assessment framework to assist districts in developing standards of proficiency.

(14) Under existing law, an annual transfer is made from the General Fund to the Instructional Materials Fund per pupil in average daily attendance in public and non-public schools in the state in the preceding fiscal year. The amount is computed utilizing a base figure of \$7 adjusted to reflect inflation since the 1973-74 fiscal year.

This bill would increase the base amount to \$12.58 in the 1977-78 fiscal year.

(15) This bill would also make numerous particular appropriations to fund various aspects of the implementation and administration of programs prescribed by this bill.

(16) This bill would appropriate \$30,000,000 for the 1977-78 fiscal year for allocation by the Superintendent of Public Instruction to school districts for specified excess costs incurred by school districts.

(17) Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds

for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing additional property taxes.

(18) This bill would specify that it does not make an appropriation or create an obligation to reimburse local agencies for costs mandated by this bill since such costs are either incurred as a part of their normal operating procedures or are funded by appropriations made by this bill.

(19) This bill would provide for a reduction of 3 percent in specified appropriations made by this bill.

(20) This bill would take effect immediately as an urgency statute

Ch. 895 (AB 847) Wornum. Municipal courts.

Existing law provides that if the salaries of personnel of the clerk's office of the municipal court in Marin County in effect immediately prior to January 1, 1977, are changed by the board of supervisors, such change shall be on an interim basis.

This bill would provide that changes in clerk office salaries in Marin County in effect immediately prior to January 1, 1978, shall be on an interim basis.

Existing law establishes the number of clerks which may be appointed in the municipal court in Marin County.

This bill would increase such number

Existing law specifies the compensation for municipal court personnel in the Santa Maria, Santa Barbara-Coleta, and Lompoc Judicial Districts

This bill would increase the compensation of various personnel employed by the municipal courts in such districts.

Existing law provides that whenever the salary for sheriff's deputy in Santa Barbara County is changed, the percentage of increase or decrease shall be ascertained and the salary range for marshal—Lompoc shall be changed by such percentage.

This bill would also require that the salary range for deputy marshal—Lompoc be changed by such percentage.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desires authority to act pursuant to the act.

Ch 896 (SB 315) Garcia. Home furnishings.

Existing law provides that the California Advisory Board of Home Furnishings consists of 7 members, 3 members represent the industry and 4 members represent the public at large.

This bill would increase the membership of such board to 11 by adding 2 industry members and 2 public members. The bill requires the Governor to appoint such additional members on or before June 30, 1978.

Existing law requires industry members to have been actively engaged and licensed as a manufacturer, custom upholsterer, retailer, or sterilizer, as the case may be.

This bill would instead require each industry member to be actively engaged and licensed as one of the following. mattress manufacturer, supply dealer, retailer, upholstered furniture manufacturer, and custom upholsterer.

Existing law provides that any vacancy occurring in the office of an industry member be filled by an industry member at large, without regard to any branch of the industry.

This bill would instead provide that any vacancy be filled by another member of the same industry.

Ch. 897 (SB 604) Stull. Public utilities' refunds.

Existing law does not require the Public Utilities Commission, when ordering rate refunds, to require such refunds to be distributed on an equitable pro rata basis among all utility users

This bill would provide that whenever the commission orders rate refunds to be distributed, the commission shall require public utilities to pay such refunds to all current utility customers and prior customers, where practicable, on an equitable pro rata basis, as defined, without regard as to whether or not the user is classifiable as a residential or commercial tenant, landlord, homeowner, business, industrial, educational, governmental, nonprofit, agricultural, or any other type of entity.

The bill would also express legislative intent that its provisions are a clarification of existing law rather than a change thereof. It would specifically not prohibit the commission from authorizing refunds to residential and other small customers based on current usage.

It would take effect immediately as an urgency statute

Ch 898 (SB 671) Garcia. State Board of Barber Examiners.

Existing law requires the approval of the Director of Consumer Affairs for the State Board of Barber Examiners to assign additional duties to an examiner-field representative.

This bill would delete such requirement.

Ch. 899 (SB 722) Vuich. Judges: Tulare County

Under existing law there are 4 superior court judges in Tulare County.

This bill would increase the number of superior court judges in Tulare County from 4 to 5

This bill would also appropriate \$60,000 to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this act

Ch. 900 (SB 831) Dunlap. Jurors: San Joaquin and Yolo Counties.

Under existing law, in San Joaquin County, grand jurors and trial jurors receive reimbursement for mileage at the rate of 10¢ per mile, both ways. Under existing law, in Yolo County, grand jurors are entitled to receive reimbursement for mileage at the rate of 15¢ per mile, one way, and trial jurors in the superior and municipal courts receive 25¢ per mile, one way.

This bill would provide that all such jurors receive mileage at the rate equivalent to that allowed county employees by the board of supervisors for each mile actually and necessarily traveled.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desires authority to act pursuant to the act

Ch 901 (SB 1086) Marks. Municipal courts: San Francisco.

Existing law establishes various salary schedules for officers, attachés, and employees of the municipal court of the City and County of San Francisco.

This bill would increase such salary schedules for municipal court officers, attachés, and employees by specified amounts, authorize the appointment of additional court personnel, and eliminate certain positions.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desire authority to act pursuant to the act.

Ch 902 (AB 1188) Calvo. Municipal courts: Santa Clara County.

Existing law specifies the salaries for municipal court personnel in the judicial districts of Santa Clara County.

This bill would make the provision of the bill relating to court reporters inseparable from Section 70046.3 of the Government Code regarding records and reporting of court reporters' salaries in Santa Clara County.

This bill would increase the salaries for municipal court personnel in the judicial districts of Santa Clara County.

The bill would authorize the appointment of an additional superior court commissioner in Ventura County.

This bill would also provide for a joint committee of superior court and municipal court judges in Santa Clara County.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desires authority to act pursuant to the act

Ch. 903 (AB 1544) Keene. Indian education

Existing law authorizes until June 30, 1977, the establishment of 10 pilot projects in Native American Indian education in certain rural school districts having a concentration of 10% or more of Native American Indian students in grades 4 and below, to be administered by the Superintendent of Public Instruction.

This bill would authorize on a continuing basis the establishment of such projects. This bill would appropriate \$295,000 to the Department of Education for purposes of this act.

It would take effect immediately as an urgency statute.

Ch. 904 (AB 1763) Calvo. Malpractice insurance.

Existing law provides that any reciprocal or interinsurance exchange which meets specified criteria shall be exempted from all capital reserve requirements for insurers.

This bill would revise the specified criteria for such exemption, and would provide that organizations eligible for such exemption shall not be required to file a statement that executed contracts or bona fide applications, to be currently effective, have been made for the exchange of indemnities by at least 100 separate subscribers.

Ch. 905 (AB 1890) Statham. Court reporters. Butte, Siskiyou, and Yuba Counties.

(1) Existing law provides for the compensation of superior court reporters in Siskiyou and Yuba Counties.

This bill would permit the board of supervisors of Siskiyou County to prescribe a higher rate of compensation for superior court reporters and would increase the compensation of superior court reporters in Yuba County.

(2) Existing law provides a specific salary for court reporters in Butte County. This bill would increase that salary, would provide that each official reporter shall receive \$25 monthly as reimbursement for the cost of necessary supplies, and would provide for a cost of living increase in the event other Butte County employees receive such an increase provided that any changes in their salaries shall be on an interim basis unless ratified by the Legislature. The bill would also increase the fee to be paid pro tempore court reporters in Butte County.

(3) Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in certain counties, and to audit and inspect such records, and submit an annual report to the boards of supervisors of the certain counties and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for Butte, Siskiyou, and Yuba Counties, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Butte, Siskiyou, and Yuba Counties, and the Legislature.

(4) The bill makes certain findings declaring that the subject of the bill requires legislative action affecting Butte, Siskiyou, and Yuba Counties.

(5) The bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement nor any appropriation made for a specified reason.

(6) This bill would also make the provisions of the act affecting Butte, Siskiyou, and Yuba Counties inseverable.

Ch. 906 (AB 1973) N. Waters. Municipal utility district: security.

Under existing law regulations governing use of firearms by municipal utility district security officers are required to limit such use to emergencies.

This bill would authorize firearms to be carried by uniformed security officers when there is no emergency to provide security for electrical generating, transmitting, and distributing facilities and personnel.

This bill would take effect immediately as an urgency statute.

Ch. 907 (SB 237) Robbins. Debt collection.

Existing law prohibits licensed collection agencies from engaging in certain debt collection practices, but existing law does not apply to persons other than licensed collection agencies.

This bill would prohibit any person from engaging in certain debt collection practices. It would make debt collectors who violate its provisions liable for such violations and would also provide for the recovery of punitive damages for willful violation of its provisions. It would also make violations of its provisions grounds for the revocation of a collection agency license.

Ch. 908 (SB 92) Presley. Marital violence.

Existing law makes it a felony for any husband to willfully inflict upon his wife corporal injury resulting in a traumatic condition and a felony for any person to willfully inflict upon any child any cruel or inhuman corporal punishment or injury resulting in a traumatic condition.

This bill would make technical revisions to such provisions of law

Ch. 909 (SB 227) Johnson. California Correctional Center

Existing law provides for the establishment of conservation centers in several locations in the state, including the California Conservation Center in the Lassen area, for the receiving, employment, care, custody, and education of inmates in the custody of the Director of Corrections.

This bill would authorize the director to establish a state prison for the confinement of males, to be known as the California Correctional Center at Susanville. The bill would change the name of the California Conservation Center to the California Correctional Center at Susanville.

Ch. 910 (SB 626) Foberti. Juvenile court law

Extensive revisions were made to the juvenile court law at the 1976 Regular Session of the Legislature.

This bill would make various technical changes in connection therewith

Ch. 911 (SB 862) Dunlap School districts. alternative schools enrollment limitation

Existing statutes authorize school districts to establish and maintain alternative schools but specify that no more than 10% of the average daily attendance of each school district may be enrolled in alternative schools, except as otherwise authorized by the Superintendent of Public Instruction as specified

This bill would repeal the maximum enrollment limitation.

Existing law requires the evaluation of alternative schools to include pre-testing and post-testing of basic skills and the identification of variables which affected pupil achievement.

This bill would change the description of the required test to testing of basic skills and would require annual review of the evaluation reports, as specified.

Ch. 912 (SB 691) Marks. Crimes: cohabiting persons.

Existing law makes it a felony for a husband to willfully inflict upon his wife corporal injury resulting in a traumatic condition.

This bill would extend such provision to include any person who inflicts such injury on his or her spouse and to any person who willfully inflicts such an injury upon any person of the opposite sex with whom he or she is cohabiting

This bill would make additional changes in Section 273d of the Penal Code, to be operative only if SB 92 and this bill are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last

Ch. 913 (SB 1071) Zenovich Schoolbuses: safe operation

Existing provisions of law authorize the State Board of Education to adopt regulations relating to the construction, design, operation, equipment, and color of schoolbuses.

This bill would require instead that such regulations relate to the use of schoolbuses by school districts and others

This bill would also require the Department of the California Highway Patrol to adopt regulations relating to the safe operation of schoolbuses and which shall require school district governing boards to implement plans to monitor bus routes as specified and to include in their schoolbus driver training programs, the proper actions to be taken in the event a schoolbus is hijacked.

This bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by this bill for a specified reason.

Ch. 914 (AB 857) Agnos Insurers.

Existing law prohibits admitted insurers licensed to issue motor vehicle liability policies from discriminating against persons on the basis of race, color, religion, national origin, ancestry, or location within a geographic area.

This bill would prohibit such admitted insurers from discriminating on the basis of the language of the insured.

This bill would require any admitted insurer licensed to issue motor vehicle liability policies or any licensed agent who refuses to accept an application or to issue a policy to furnish a written explanation for such action to the applicant, if the applicant requests such explanation, and would declare an admitted insurer or agent who willfully refuses to do so to be guilty of a misdemeanor. This bill would grant immunity from liability to specified persons and entities for any statement made in any such written notice of reasons for refusing to accept an application or issue the policy or in any other specified communication, oral or written.

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of local agencies for costs incurred by them pursuant to this bill for a specified reason.

Ch. 915 (AB 459) Montoya Community colleges

Under existing statutes, the Board of Governors of the California Community Colleges is required to exercise general supervision over the formation of new community college districts and the reorganization of existing community college districts.

Existing law specifically prohibits the board of governors from approving the formation of a new community college district unless the estimated potential ADA equals or exceeds 1,000 and unless the assessed valuation of taxable property within the proposed district equals or exceeds \$150,000 per unit of ADA.

This bill would prohibit approval if any new or reorganized community college district would have, in the 3rd year of operation less than 3,000 ADA or less than \$150,000 assessed valuation per ADA; require, where any community college formed after July 1, 1977, does not have, after 3 years from the approval, at least 3,000 ADA credited annually, inclusion of such district in a contiguous community college district with the least amount of ADA.

Under existing statutes all community college educational programs and all courses of instruction not offered in an approved educational program, including adult as well as regular courses, are required to be approved by the board of governors; an adult is defined, for elementary and high school purposes, as a person 18 years of age and older or a person not concurrently enrolled in a regular high school program, but is not defined for community college purposes; attendance of adults in community colleges is required to be computed in the same manner as attendance of any other community college student; and apportionment of state funds for community college adult courses is prohibited unless the courses have been approved by the board of governors.

This bill would define, for community college purposes, a credit course and a non-credit course; make noncredit courses subject to the provisions relating to community college adult courses; and make the above existing provisions, relating to course approval and to prescribed apportionments, applicable to credit and noncredit courses of community colleges.

This bill would revise the data re the population of community college districts which the Department of Finance is currently required to transmit to community college districts.

Existing law prohibits community college districts from imposing fees on adults enrolled in classes for adults, but requires the charging of nonresident tuition except in specified instances in which the district is authorized to exempt certain students from payment of the tuition.

This bill would exempt from the payment of any fee or charge of any kind, including nonresident tuition, an adult community college student enrolled in any of the following noncredit courses: (1) a class in English and citizenship for foreigners; (2) a class in an elementary subject for which credit is granted toward a high school diploma, (3) a class normally offered by a high school or unified school district but which, instead, is being offered by the community college district pursuant to an agreement with the high school or unified district.

Under existing law, members of a community college district governing board may be elected simply at large, at large on the basis of residence in trustee areas, or by the voters of individual trustee areas of candidates residing in the respective areas.

This bill would authorize the governing board of any community college district to assign by lot a number to each seat on the board. Once assigned, any candidate for election to the board would be required to run for a particular numbered seat on the board and be elected at large.

This bill requires county superintendents of schools to provide for an increase or decrease in the tax rate of a community college district due to adjustments made in ADA pursuant to specified provisions prescribing adjustments in community college apportionments, resulting from audits conducted by the Department of Finance.

Existing law provides for adjustments in apportionments where growth or decline in community college district enrollment has occurred.

This bill would make technical changes in the factors utilized in computations for that purpose.

Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.

Ch. 916 (SB 963) Stull. University of California: competitive bidding.

By an amendment to the California Constitution adopted by the voters at the 1976 General Election, the University of California was made subject to the Legislature's power to prescribe competitive bidding procedures for the letting of construction contracts, sales of real property, and purchasing of materials, goods, and services.

This bill would enact competitive bidding procedures which would be required to be followed, with specified exceptions, by the university in connection with (a) construction and improvement projects exceeding \$15,000 in cost, (b) the purchase of goods or materials exceeding \$5,000 in cost annually, (c) contracts for services (other than personal or professional services) involving an expenditure of \$5,000 or more annually, and (d) sales of real property of the university having an estimated net value to the seller in excess of \$50,000.

This bill would enact related provisions.

Ch. 917 (SB 1221) D. Carpenter. Counties: contracts.

Under existing law a county board of supervisors may contract for specified special services on behalf of any county office or department.

This bill would authorize a county board of supervisors to contract with temporary help firms for specified purposes and under specified conditions.

This bill would take effect immediately as an urgency statute.

Ch. 918 (SB 928) D. Carpenter. Duck stamp funds.

(1) Under existing law the fee for the sale of duck stamps is \$1 and funds derived from the sale of such stamps are required to be used for the purpose of protecting and propagating migratory waterfowl and for the preservation of wetlands. Such funds are continuously appropriated to the Department of Fish and Game.

This bill would increase the fee for state duck stamps to \$5 and would require such funds to be used for the purpose of protecting, preserving, restoring, enhancing, and developing migratory waterfowl breeding habitat.

(2) Under existing law an amount not to exceed 10% of such funds may be used to reimburse the department for administrative costs, and at least 80% of such funds must be expended in Canada, and the balance may be used to preserve waterfowl habitat in other areas of the Pacific Flyway.

This bill would limit the amount which may be used for administrative costs to 5% of such funds, would reduce the amount required to be expended in Canada to 45% of such funds, and would specify that the balance may be used for protecting, preserving, restoring, enhancing, and developing migratory waterfowl breeding habitat in California.

The bill would require any lands acquired in California with such funds to be open to waterfowl hunting as a public shooting ground or wildlife management area.

Ch. 919 (AB 1567) Ingalls. State highways: Route 91: junkyard control.

(1) Under existing law, State Highway Route 91 is from Route 1 near Hermosa Beach to Route 15 via Santa Ana Canyon.

This bill would redesignate Route 91 as being from Route 1 near Hermosa Beach to Route 194 via Santa Ana Canyon.

(2) Under existing law, the department administers various provisions of the Streets and Highways Code relative to the control of junkyards.

This bill would revise such provisions, generally, by (a) broadening the definition of "junkyard", thus subjecting additional persons to such provisions, (b) specifically authorizing the department to purchase junk or scrap and move it to a recycling center or pay the cost of moving such junk or scrap (whichever is less) if such removal is necessary under such provisions, and (c) recasting and revising various other provisions regarding junkyard control.

(3) Under existing law, the cost for such control of junkyards and such facilities is funded from the motor vehicle transportation license tax (the truck tax) revenues in the State Highway Account in the State Transportation Fund. The tax is no longer imposed.

The bill would authorize any funds in the State Highway Account such as the gas tax, to be used to fund such cost.

(4) The bill would be an appropriation bill since it would make funds in the State Highway Account, which is a continuously appropriated fund, available for new purposes.

(5) The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

Ch. 920 (SB 940) Gregorio. Housing rehabilitation.

(1) Under the Marks-Foran Residential Rehabilitation Act of 1973, local agencies subject thereto are authorized to finance residential rehabilitation outside designated residential rehabilitation areas for governmentally assisted housing for persons and families of low or moderate income.

This bill would additionally authorize residential rehabilitation outside of such areas in connection with a program of systematic enforcement of rehabilitation standards, as prescribed.

(2) Under the Zenovich-Moscone-Chacon Housing and Home Finance Act, the California Housing Finance Agency may agree to make mortgage loans for rehabilitation of housing developments in connection with a citywide or countywide program of enforcement of state and local building and housing standards.

This bill would revise such provisions to authorize the agency to agree to make neighborhood improvement loans or mortgage loans for rehabilitation of residential structures or housing developments in connection with a citywide or countywide program of defined systematic enforcement of rehabilitation standards and would additionally authorize the agency to provide loan insurance in connection with such a program, as specified. The bill would require that potentially affected owners and tenants be provided notice and an opportunity for participation by them in selection of dwelling units to be inspected and rehabilitated. The bill would revise the definition of rehabilitation standards for purposes of such act.

(3) This bill would make numbering changes necessary to conform to the scheme of renumbering of provisions of the Zenovich-Moscone-Chacon Housing and Home Finance Act proposed by SB 1123, if SB 1123 is chaptered and becomes effective January 1, 1978.

Ch 921 (AB 878) Gage. State taxes.

(1) Existing California Sales and Use Tax Law imposes a state sales or use tax on the sale or use of tangible personal property in the state, unless such sale or use is exempted from such tax.

Moreover, counties, cities, and transit and rapid transit districts are authorized to impose local sales and use taxes in conformity with the state's taxes. Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse

counties and cities, but not the transit or rapid transit districts, for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would provide that schools, school districts, and student organizations are consumers rather than retailers of yearbooks and catalogs prepared by them and distributed to students. The bill also provides that notwithstanding Section 2230 of the Revenue and Taxation Code, no reimbursement will be made by the state to cities and counties because there is no actual revenue loss to them.

(2) Under the existing Sales and Use Tax Law, the statute of limitations on taxpayers reporting on an annual basis begins to run at the time the return is filed.

This bill would commence the statute running one month after the end of the reporting period.

(3) Under the existing Sales and Use Tax Law the Board of Equalization must act to provide tax clearance to a purchaser of a business within 90 days of a written request by such purchaser.

This bill would require such action within 90 days after the sale of the business on written request of the purchaser, whichever occurs later.

(4) Under the existing sales and use tax, gas tax, diesel tax, insurance tax, cigarette tax, alcoholic beverage tax, energy resources surcharge, and telephone users surcharge laws the State Board of Control must approve a refund or credit to a taxpayer of \$1,000 or more.

This bill would permit the Board of Equalization to grant a credit or refund under those tax laws of not more than \$5,000.

(5) Existing property tax law defines "air taxi," in part, as aircraft having a maximum certificated take-off weight of 12,500 pounds or less.

This bill revises such limit to aircraft having a maximum passenger capacity of 30 seats or a maximum payload capacity of 7,500 pounds.

(6) This bill also deletes obsolete cross-references and provides factors to convert from liters to gallons under the Alcoholic Beverage Tax Law.

Ch. 922 (AB 1193) Torres. Clothing: flame-retardant treatment.

Under existing law, children's sleepwear and other articles of clothing are required to meet flammability standards.

This bill would require the State Fire Marshal to adopt regulations prohibiting the use of the chemical tris (2, 3-dibromopropyl) phosphate in all clothing and, in conjunction with the Department of Consumer Affairs, to prepare and disseminate consumer information on the identification of clothing manufactured with Tris or other flame-retardant chemical which is determined to be a health hazard by a state or federal agency under state or federal law.

Ch. 923 (SB 1168) Deukmejian. Subdivisions: consistency with general plans.

Existing law prohibits the approval of a subdivision map unless the proposed subdivision is consistent with applicable general and specific plans, and specifies various findings which require disapproval of a proposed subdivision map.

This bill, under specified circumstances, would delete the requirement of consistency, and make inapplicable the various findings requiring disapproval, for condominium projects which consist of the subdivision of airspace in an existing structure, unless new units are to be constructed or added.

Ch. 924 (AB 1050) Mori. California Job Creation Program.

Existing law provides for a California Job Creation Program under the administration of the California Job Creation Program Board.

This bill would change the name of the program to the California Office of Small Business Development, the name of the board to the Small Business Development Board, and the name of the California Job Creation Corporations to California Small Business Development Corporations.

For the purposes of the California Job Creation Program a "small business" is defined as one that has gross receipts of not more than \$1,000,000 per year.

This bill would delete the above and instead define "small business" as that phrase is defined in regulations of the Small Business Administration.

No provision of existing law permits the California Job Creation Board or the execu-

tive director thereof to do any of the following: (1) provide services to facilitate the transfer of a small business between a buyer and a seller, (2) establish a program whereby the regional corporations may enter into contracts with investors to indemnify them against the risk of loss in investment in a minority small business investment company, or (3) establish a program whereby the regional corporations may enter into contracts with financial institutions to indemnify such institution's investments in securities in consideration for the expansion of the institution's expansion of its small business loan activity.

This bill would establish a small business expansion program which would enable the California Job Creation Board to do all of the foregoing. In addition it would establish a Small Business Expansion Fund for these purposes.

This bill would also permit the office to establish and maintain a minority vendor file as a comprehensive listing and information source on small and minority businesses throughout the state for all businesses and industries, and would in addition authorize the office to establish a central reference program and general counseling service to assist small and minority businesses in their operations.

The provisions of this bill would remain in effect until January 1, 1983.

This bill would also appropriate \$776,250 from the General Fund for its purposes.

Ch. 925 (SB 476) *Stiern. Community college excess construction project expenditures: local matching cutoff date. extension.*

The Community College Construction Act of 1967 prescribes a time period during which certain excess district expenditures made during the 1969-70 fiscal year for "projects" shall be allowed as local matching funds for projects approved during that time period.

This bill would, for eligible community college districts established on or after July 1, 1973, extend such time period until the district receives a prescribed amount of combined state and district funds per weekly student contact hour.

Ch. 926 (SB 801) *Zenovich Housing finance.*

(1) Current law empowers housing authorities (a) to provide financing for construction or rehabilitation of residential structures for persons of low income and (b) to lend upon the security of a deed of trust in connection with the sale of real property to persons of low income or the implementation of government housing and rehabilitation-financing programs for persons of low income. However, any housing authority engaged in such financing activities is required to be certified as a qualified mortgage lender under the Zenovich-Moscone-Chacon Housing and Home Finance Act

This bill would eliminate the requirement for certification as a qualified mortgage lender as a precondition to engaging in such financing activities, except with respect to the conduct of financing activities pursuant to such act.

(2) Under present law, the California Housing Finance Agency is empowered to finance by prescribed means, or to insure financing for, rehabilitation of housing.

This bill would additionally authorize the agency to finance housing rehabilitation and home improvements through acquisition or insurance of loans insured by an agency or instrumentality of the United States, as specified.

(3) Present law limits the amount of bonds which the California Housing Finance Agency may issue to \$300,000,000 of nonguaranteed bonds, exclusive of renewal or refunding of previously issued bonds, with an additional \$150,000,000 permitted for guaranteed taxable bonds or nonguaranteed bonds

This bill would revise the authority for issuing an additional \$150,000,000 in bonds, as designated above to (a) require that nonguaranteed bonds issued thereunder be tax exempt and (b) to provide that such limitation is exclusive of bonds issued to refund or renew a previous issuance.

(4) Under present law, the California Housing Finance Agency is required to allocate from 30 to 40% of the very low-income units financed by it in any fiscal year for specially designed units for elderly and handicapped persons.

This bill would require such allocation only for units for the elderly.

(5) Under present law, the California Housing Finance Agency is authorized to establish supplementary reserve accounts to secure payment of the principal of, and interest and sinking-fund payments on, its bonds.

This bill would authorize the use of such supplementary reserve accounts to additionally secure redemption-premium payments on such bonds.

Ch. 927 (AB 920) Fazio. Farmworker housing grants

The Zenovich-Moscone-Chacon Housing and Home Finance Act authorizes the Department of Housing and Community Development to make grants to nonprofit corporations and cooperative corporations and specified governmental entities for operating, administrative, and other expenses of planning, constructing, rehabilitating, and operating housing assisted by the federal government in certain ways or assisted or approved under such act as prescribed. There is presently no funded state grant program authorized specifically for farmworker housing.

This bill would authorize the department to make grants for the construction or rehabilitation of housing, including land acquisition and necessary related support facilities, for agricultural employees and their families, but no part of such a grant could be used for project organization or planning. The program would be entitled the Farmworker Housing Grant Program, and the department would be required and authorized to exercise certain controls over housing assisted under the bill. Nonprofit corporations, stock cooperatives, and specified governmental entities would be eligible for such grants. The amount of any grant made pursuant to the bill would be required to be matched by the grantee with federal moneys, other cash investments, or in-kind contributions.

The bill would create the Farmworker Housing Grant Fund, which would be continuously appropriated to the department to make such grants and for costs of administering the grant program. The bill would provide for deposit in the fund of a specified pro rata portion of the proceeds of a sale of housing assisted under the bill, except where the housing is sold at no profit and is to be continued in use by agricultural employees.

The bill would appropriate \$2,625,000 † from the General Fund for transfer to the Farmworker Housing Grant Fund, with not more than \$125,000 of such appropriation to be expended by the department for administrative expenses.

Ch. 928 (AB 727) McAlister. Public pension and retirement funds: annual reports; membership.

Existing state law does not require financial statements from all state and local public agencies which maintain retirement plans.

This bill would require all state and local public retirement systems to annually submit audited financial statements to the State Controller and to triennially secure the services of an enrolled actuary, require the State Controller to establish an advisory committee, and require the State Controller to annually compile and publish a report on the condition of all state and local public retirement systems. The bill would delete a provision requiring local agency retirement boards to annually transmit a securities transaction report to the Joint Legislative Audit Committee.

Existing Public Employees' Retirement Law permits local safety members credited with less than 20 years of service on the effective date of adoption of increased retirement benefits by their employers which require retirement at age 60 to continue employment, at the option of the employer beyond age 60 until age 65 or until completion of 20 years of service, whichever first occurs.

This bill would extend the benefit of such provision to members employed by a county of the 5th class, formerly considered to be within the local miscellaneous membership category, who have been reclassified by a court as local safety members. The bill would also permit persons employed in positions which are found to be within the definition of local safety member by the board or court action to elect to remain miscellaneous members except in counties of the 5th class.

The bill provides that no amount would be appropriated to the State Controller to reimburse local agencies for specified reasons.

The bill would take effect immediately as an urgency statute.

Ch. 929 (AB 1833) Young. State Highway Route 105: abatement of structures.

The preliminary injunction issued by the United States District Court for the Central District of California on July 7, 1972, in *Keith v. Volpe*, 352 Fed. Supp. 1324, authorizes the demolition or removal of structures within the right-of-way of State Highway Route 105 that are determined by the court, on a case-by-case basis, to constitute a threat to public health and safety.

This bill would require the Department of Transportation to proceed expeditiously

† Appropriation reduced to \$1,312,500 by action of the Governor.

to remove or demolish all such structures that are not lawfully occupied, as permitted by that injunction, and all such other structures that are not lawfully occupied and have been declared a nuisance, have been found hazardous or unsafe by a city or county pursuant to its building and safety ordinances, or have been found by the legislative body of a city or county to be a threat to public health and safety. The department would be required to expeditiously seek such amendments to the injunction as may be necessary to authorize removal and demolition of such other structures.

The bill would declare that no action taken pursuant to the bill shall be construed as having any bearing on the eventual construction of a freeway on Route 105 or as being preparatory activities for such construction.

The bill would take effect immediately as an urgency statute.

Ch. 930 (SB 886) Nejedly. Forest practice rules and regulations.

The Z'berg-Nejedly Forest Practice Act of 1973 governs the conduct of forest practices on timberland. The State Board of Forestry is required under such act to adopt district forest practice rules and regulations for each forest district, in accordance with specified policies, to assure the continuous growing and harvesting of commercial forest tree species and to protect the soil, air, fish and wildlife, and water resources.

This bill would require the board to include in its rules standards to guide the actions of the Director of Forestry where it intends the director to exercise professional judgment in applying any rule, regulation, or provision of the act. The bill would require the director to conform to such standards, and would specify that the rules adopted by the board shall be the only criteria employed by the director when reviewing timber harvesting plans. The bill would also authorize the director, if he determines that a substantial question concerning the intent of the act is not currently provided for in the rules and regulations and that approval of a timber harvesting plan which has been filed could result in immediate, significant, and long-term harm to the natural resources of the state, to withhold decision on the plan, subject to specified requirements, and would authorize the board, if it finds such intent has not been provided for, to adopt emergency regulations, as specified.

Ch 931 (SB 921) Marks Housing finance

(1) Under present law, redevelopment agencies are authorized to make loans through qualified mortgage lenders, as defined, to private parties to finance residential construction in redevelopment project areas, pursuant to the redevelopment plan which the redevelopment agency determines to be an integral part of a residential neighborhood. Such loans are required to be insured by the United States, the state, or any person licensed to insure mortgages in this state.

Present law empowers redevelopment agencies to issue and refund revenue bonds and other obligations secured by, and payable from, specified revenues of the agency for funding such a program.

This bill would empower redevelopment agencies to finance residential construction outside redevelopment project areas, as prescribed. The bill would also permit financing by purchase of existing loans and would require all such loans to be insured or guaranteed, as specified.

(2) Under the Marks-Foran Residential Rehabilitation Act of 1973, specified local agencies are empowered to make loans to private parties for financing defined residential rehabilitation and to issue revenue bonds for such purpose.

This bill would authorize local agencies to finance residential rehabilitation under such act indirectly through qualified mortgage lenders, as prescribed. The bill would also revise provisions respecting the terms of, and security for, such loans and would restrict authority to make such loans outside of residential rehabilitation areas to dwelling units committed to occupancy by persons eligible for prescribed governmental assistance.

(3) The Zenovich-Moscone-Chacon Housing and Home Finance Act prescribes limitations on loans made to housing sponsors to finance housing developments.

This bill would revise such limitations.

Ch 932 (SB 843) Holmdahl. Transportation: California Transportation Plan.

Under existing law, the State Transportation Board is required to adopt and transmit the California Transportation Plan to the Legislature not later than January 1, 1976. No such plan has been adopted, although the board has submitted recommended statewide transportation goals, policies, and objectives to the Legislature.

This bill would delete the requirement that the board adopt and transmit the plan to the Legislature by January 1, 1976.

The bill would make the plan ineffective until the Legislature declares by statute that the plan is consistent with the Legislature's declaration of statewide transportation goals, objectives, and policies.

The changes which would be made by the bill would not be effective if Assembly Bill No. 402 of the 1977-78 Regular Session of the Legislature is enacted to create a California Transportation Commission

Ch. 933 (AB 991) Lanterman. Public Employees' Retirement System: public service credit.

Existing Public Employees' Retirement Law permits members to receive credit in the system for various forms of public service upon payment of contributions.

This bill would authorize contracting agencies to elect to permit local members to elect prior to December 31, 1978, to receive credit as public service for time during which the members were employed by public agencies which have since become a contracting agency of the Public Employees' Retirement System if the members make specified contributions for such service credit and their employees pay the remainder of the costs of such benefits. Local retirement systems which are public systems would be required to transfer the member's funds to the Public Employees' Retirement Fund.

This bill would also give a contracting agency the option of permitting a person who is a local member to also elect prior to December 31, 1978, to receive credit for time such person served as an uncompensated elected public official if the member pays employer and employee contributions and interest.

Ch. 934 (SB 1095) Song. Liability insurance. underwriting.

Under existing law, a member of certain peer review committees whose purpose is to review the quality of medical services rendered by physicians and surgeons is exempt from damages for certain actions taken by the committee. Under existing law, a person who communicates to certain such committees is exempt from damages because of that communication.

This bill would provide that a physician and surgeon who is a member of an underwriting committee or a person who communicates to such a committee would not be liable for damages for actions taken in evaluating physicians and surgeons for the writing of professional liability insurance, if the actions of the evaluating physician and surgeon are taken as specified.

Ch. 935 (SB 807) Holden. Minors sexually assaulted: medical treatment.

Under existing law, minors are authorized to consent to certain contracts and such contracts are not disaffirmable because of minority.

This bill would specifically authorize a minor who is alleged to have been sexually assaulted, as defined, to consent to the furnishing of hospital, medical, and surgical care related to the diagnosis and treatment of such condition, and the collection of medical evidence with regard thereto. It would provide that such consent is not subject to disaffirmance because of minority. It would also require the professional person rendering medical treatment to attempt to contact the parent, parents, or legal guardian of the minor, under designated circumstances.

Ch. 936 (SB 787) Smith. Schools, community colleges: audits

Under current law, governing boards of school districts and community college districts are required to provide for an audit of the books and accounts of the district. Reports of such audits must be filed with various agencies, including the Department of Education and the Department of Finance, in the case of school districts, and the Board of Governors of the California Community Colleges and the Department of Finance, in the case of community college districts. If an audit is not provided for at the

local level, the Department of Finance is authorized to make arrangements for the audit, the costs of which would be paid by the local entity. The Department of Finance, in cooperation with the Department of Education or the board of governors, as the case may be, is required to provide statements and other information to be included in the audit reports filed with the state. The Department of Finance is authorized to make audits, surveys, and reports, and to develop procedures, to carry out these provisions.

This bill would require that the auditor's report include a statement that the audit was conducted pursuant to standards and procedures developed by the Department of Finance, in cooperation with the Auditor General and the Department of Education or the board of governors, as the case may be, and a summary of audit exceptions and management improvement suggestions. This bill would require, rather than authorize, the Department of Finance to make arrangements for audits at the local level if the local entity does not do so.

This bill would delete the requirement that the Department of Finance and the Department of Education or the board of governors, as the case may be, prescribe audit statements and other information and would instead require that task to be performed by the Department of Finance, in cooperation with the Auditor General and the Department of Education or the board of governors, as the case may be. This bill would require the Department of Finance, in cooperation with the Auditor General and the Department of Education or the board of governors, as the case may be, to review audit procedures, statements, and other information, would require updating of standards, as specified, and would require various specified reports.

This bill would also make various related technical changes.

Ch. 937 (SB 613) Russell. Legislators' Retirement System: funding.

Existing Legislators' Retirement Law requires the state to annually contribute to the Legislators' Retirement Fund the amount needed to pay benefits for the ensuing year and requires this sum to be appropriated in the State Budget Act. However, the law also declares that on and after January 1, 2032, the Legislators' Retirement System shall be fully funded and actuarially sound.

This bill would repeal such declaration and would require the state to make specified contributions to the Legislators' Retirement Fund at a specified rate. The state's contribution would be statutorily appropriated monthly from the General Fund.

Ch. 938 (SB 580) Roberti. Employee records.

Existing law requires every employer, at reasonable times upon request of an employee, to permit that employee to inspect specified personnel files concerning that employee.

This bill would require employers to permit employees access to their records at reasonable intervals, as determined by the Labor Commissioner, as well as at reasonable times, and to keep copies of each employee's files at the place he reports to work, or be made available at that place within a reasonable period of time after the employee's request therefor.

Ch. 939 (SB 576) Foran. Industrial loan companies: open-end loans

Under existing law there is no provision authorizing an industrial loan company to make specified types of open-end loans.

This bill would authorize an industrial loan company to make open-end loans to borrowers. Such loans would allow a borrower to obtain advances of money from an industrial loan company pursuant to a loan agreement from time to time and would allow an industrial loan company to advance money on behalf of a borrower at the direction of the borrower from time to time. The bill would also provide for the regulation of such loans, and would provide that the provisions of such bill do not apply to loans in specified amounts.

The bill would provide that no appropriation or reimbursement is made to local agencies for costs incurred by them pursuant to the bill because of a specified reason.

Ch. 940 (SB 498) Holmdahl. Property tax assessment

This bill would make technical, nonsubstantive changes to certain provisions of the Revenue and Taxation Code.

This bill would incorporate additional changes in Section 434.5 of the Revenue and Taxation Code proposed by Assembly Bill 100, to be effective only if Assembly Bill 100 and this bill are both chaptered and this bill is chaptered last.

This bill would incorporate additional changes in Section 40031 of the Revenue and Taxation Code proposed by Senate Bill 373, to be effective only if Senate Bill 373 and this bill are both chaptered and this bill is chaptered last.

Ch. 941 (SB 439) Fussell. Public retirement systems actuarial evaluations.

Existing state law does not require actuarial evaluations to be made prior to increases in public retirement plan benefits.

This bill would require the Legislature and local legislative bodies to obtain actuarial evaluations of future annual costs before authorizing increases in public retirement plan benefits and to make the information public at a public meeting at least 2 weeks prior to the adoption of such increase.

The bill would also provide that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to the act.

Ch. 942 (AB 1880) Cullen. General Fund: accounting procedures.

Existing law directs the Department of Finance to establish an accounting system for the General Fund and other funds.

This bill would provide that, on and after July 1, 1978, all accounts, special accounts, and funds established by statute in the General Fund to reserve specific revenues shall be treated for accounting and budgeting purposes as other governmental cost funds. It would, in addition, specify various accounts to which the bill would apply.

The bill would take effect immediately as an urgency statute.

Ch. 943 (AB 1350) Alatorre. State civil service: affirmative action.

The existing law prohibits discrimination in hiring and promoting in the state civil service.

This bill would enact provisions of the law relating to affirmative action programs. It would, among other things, require the State Personnel Board to: (1) provide statewide leadership designated to achieve positive and continuous affirmative action programs in the state civil service; (2) develop, implement, and maintain affirmative action and equal employment opportunity guidelines, and, commencing in 1978; (3) make a report, containing specified information, by November 15 of each year to the Governor, Legislature, and the Department of Finance.

In addition, the bill would require the State Personnel Board to maintain specified statistical information relating to affirmative action and equal employment opportunity in state civil service.

This bill would also require the secretary of each state agency and the director of each state department to appoint an affirmative action officer with specified duties and would impose specified duties and functions to be performed by other officers and employees with respect to affirmative action programs and equal opportunity.

Ch. 944 (AB 111) Chacon. Housing: predevelopment loans.

Under existing law there is a Housing Predevelopment Loan Fund in the State Treasury which is administered by the Director of Housing and Community Development and is continuously appropriated to the Department of Housing and Community Development to make predevelopment loans to local governmental agencies or nonprofit corporations, as defined, for assisted housing for low-income persons in rural areas.

The interest rate for predevelopment loans is required to be the same as the average rate returned by the investment of state funds through the Pooled Money Investment Board for the previous 5 fiscal years.

This bill authorizes the department to reduce or eliminate the interest rate on such loans where necessary to provide housing for very low income households, as defined, but requires a loan origination fee of not to exceed 2% of the loan where the interest is eliminated.

The bill would appropriate \$1,050,000 to the Housing Predevelopment Loan Fund, with \$1,000,000 allocated for predevelopment loans, and \$50,000 for expenses of the Department of Housing and Community Development in administering the predevelopment loan program.

This bill would take effect immediately as an urgency statute.

Ch. 945 (SB 503) Nejedly. Recreational trails: planning, acquisition, and development.

Pursuant to the California Recreational Trails Act, the Director of Parks and Recreation is responsible for the California Recreational Trails System Plan and the orderly development and operation of the system and is required to recommend priority projects for the system to the Governor for inclusion in the Budget Bill. Further, that act prohibits acquisition by the state of private property for the system unless the funds therefor are appropriated in the Budget Bill. Another provision of existing law requires that proposed expenditures from the Park and Recreation Revolving Account in the General Fund be included as separate items in the Budget Bill.

Notwithstanding those requirements relating to the Budget Bill, this bill would appropriate \$2,700,000 from the Park and Recreation Revolving Account to the department for the planning, acquisition, and development of recreational trails in specified corridors in Alameda, Contra Costa, El Dorado, Placer, Santa Clara, Santa Cruz, Monterey, and Los Angeles Counties pursuant to the California Recreational Trails Act.

Ch. 946 (AB 365) Chappe. Recreation trails.

Under existing law (the California Recreational Trails Act enacted in 1974) the Director of Parks and Recreation is required to cause to be prepared, and continuously maintained, a California Recreational Trails System Plan, consisting of specified elements.

This bill would require the elements of such plan to include cross-country skiing trails and to include trails and areas suitable for use by physically handicapped persons, would require the director to consult with and seek the assistance of the Department of Rehabilitation, and would require criteria and standards for the design of trail facilities to include facilities to meet the needs of physically handicapped persons.

The bill would also appropriate \$350,000 from the Collier Park Preservation Fund to the Department of Parks and Recreation for the acquisition of specified parcels of land for the South Yuba River Trail Project, subject to the provisions of the Property Acquisition Law and subject to specified determinations by the State Public Works Board.

The bill would take effect immediately as an urgency statute.

Ch. 947 (AB 1349) Lehman. San Joaquin Valley agricultural museum

Existing law does not provide for the restoration and conversion of the Old Administration Building Complex at Fresno City College as a San Joaquin Valley agricultural museum within the state park system. Existing law requires that proposed expenditures from the Park and Recreation Revolving Account in the General Fund be included as separate items in the Budget Bill.

Notwithstanding such limitations upon proposed expenditures from the account, this bill would appropriate \$3,000,000, or so much thereof as may be necessary, from the account to the Department of Parks and Recreation for expenditure, without regard to fiscal years, for that restoration and conversion. The bill would prohibit encumbrance of such funds unless and until the state receives title to the building and its site and an agreement, of specified content, is entered into by the department, the City of Fresno, and the County of Fresno for the joint operation of the museum by the city and county. Further, the bill would require that the building be restored and converted in accordance with the so-called "Field Act" and in a certain configuration. In addition, the bill would authorize the restoration and conversion of the old gymnasium at that college if an agreement of specified content is entered into.

The bill would take effect immediately as an urgency statute.

Ch. 948 (SB 885) Rodda. Sacramento Regional Transit District: transactions and use tax.

Existing law does not authorize the Sacramento Regional Transit District to provide for a retail transactions and use tax.

This bill would authorize the board of directors of the district to call an election to authorize imposition of a retail transactions and use tax, of a maximum rate of one-quarter or one-half of one percent, within the portion of the district consisting of the City of Sacramento and described portions of the unincorporated territory of the County of Sacramento. It would provide that such tax would constitute local financial support for the purpose of laws relating to transportation development. The district would be required to contract with the State Board of Equalization for the performance of all functions incidental to the administration of the tax thus authorized. Other conforming changes would be made.

This bill would take effect immediately as an urgency statute.

Ch. 949 (SB 1218) Garamendi. Fire prevention: portable engines

Existing law generally prohibits the use or operation of any internal combustion engine which is operated on hydrocarbon fuels on any forest-covered land, brush-covered land, or grass-covered land without providing, and maintaining in effective working order, a spark arrester, as defined, attached to the exhaust system.

This bill would, in addition, prohibit the use or operation on any forest-covered land, brush-covered land, or grass-covered land of any hand-held portable, multiposition, internal-combustion engine manufactured after June 30, 1978, which is operated on hydrocarbon fuels, unless it is constructed, equipped, and maintained for the prevention of fire in accordance with standards specified by regulation of the State Board of Forestry. The bill would require the regulations of the board to specify a uniform method of testing and to include specified matters, and would specify that portable power saws and other such portable equipment manufactured prior to July 1, 1978, shall be subject to fire safety design specifications as prescribed by the board.

The bill would take effect immediately as an urgency statute.

Ch. 950 (AB 1237) Ingalls. Transportation: county transportation commissions.

(1) Under the Mills Alquist-Deddeh Act, the Orange County Transportation Commission may be allocated up to 1% of the annual revenues deposited in the local transportation fund of Orange County for transportation planning and programming process.

This bill would increase the allowable allocation to the commission from 1% to 2% of the annual revenues deposited in that fund.

(2) Under the County Transportation Commissions Act (hereafter referred to as the act), the Los Angeles County Transportation Commission consists of the 5 members of the Los Angeles County Board of Supervisors, the Mayor of the City of Los Angeles, 2 members appointed by the mayor with the consent of the City Council of the City of Los Angeles unless the appointee is a member of the city council, 2 members appointed by Los Angeles County City Selection Committee excluding the Cities of Long Beach and Los Angeles, and 1 member of the City Council of the City of Long Beach appointed by the city council.

The board of supervisors and the mayor may appoint alternate members in their stead.

The bill would authorize the mayor with respect to his 2 regular appointments, the city selection committee, and the Long Beach City Council to appoint an alternate member to the commission to represent, on a temporary basis, a regular member who cannot attend a commission meeting.

(3) Under the act, the Los Angeles County Board of Supervisors may appoint as alternate members, to the Los Angeles County Transportation Commission, private individuals who are residents of Los Angeles County.

The bill would delete the requirement that the private individuals be residents of the county.

(4) Under the act, the members of the Los Angeles County Transportation Commission who are not holding another public office serve at the pleasure of their appointing authorities.

The bill would specify the terms of such members, except the initial members, to be 4 years. The membership of any member serving on the commission as a result of holding another public office would be terminated when the member ceases holding the other public office. The Los Angeles County City Selection Committee excluding the Cities of Long Beach and Los Angeles would be prohibited from appointing any individual to serve more than 2 terms on the commission.

(5) Under the act, the Governor has no appointments to the 4 county transportation commissions in the Counties of Los Angeles, Orange, Riverside, and San Bernardino.

The bill would require the Governor to appoint, not later than February 1, 1978, a nonvoting member to each of the commissions. The term of appointment, except an initial appointment, would be 4 years and no individual would be authorized to serve as a nonvoting member more than 2 terms on a commission.

(6) Under the act, the Southern California Association of Governments (hereafter referred to as SCAG) is required to convene at least 2 meetings annually with the 4 commissions and representatives from the agency and the Department of Transportation.

The bill would require that the meetings be held with representatives from each of the 4 commissions instead of with the full commissions.

(7) Under the act, the meetings specified in (6) above are held, among other things, to (a) review and discuss the near-term transportation improvement programs prior to comments by SCAG and prior to adoption by the commission and (b) discuss and resolve any matter of mutual concern.

The bill would delete the requirement that such programs are to be reviewed and discussed at such meetings prior to comments by SCAG. It would authorize matters of mutual concern to be reviewed and discussed, instead of discussed and resolved, at such meetings.

(8) Under the Ralph M. Brown Act, the citizens' advisory committees and technical advisory committees appointed by the commissions are required to conform to that act with respect to their meetings.

The bill would exempt such committees from that act, except for the provision regarding meetings held by an advisory commission not created by statute.

(9) Under the act, the commissions are required to enter into a contract with the Board of Administration of the Public Employees' Retirement System to include all their employees in that retirement system.

The bill would authorize a commission, instead, to contract with the retirement system that the employees of the county in which the commission is located are members of.

(10) Under the act, employees of the commissions are entitled to the same health benefits as state employees.

The bill would provide, instead, that the employees are entitled to substantially similar health benefits as state employees.

(11) Under the act, plans for the design, construction, and implementation of public mass transit systems or projects, and for federal-aid and state highway projects, are required to be submitted to the commissions for approval.

The bill would define "plan," for this purpose, to mean a project description and not the detailed project plans, specifications, and estimates.

(12) Under the act, the Los Angeles County Transportation Commission is required to designate the Southern California Rapid Transit District as the transit guideway operator in Los Angeles County.

The bill would authorize Los Angeles City to design, construct, and operate a point-to-point transportation system on or between property under the jurisdiction of the Department of Airports of the city.

(13) Under the act, the Los Angeles County Transportation Commission is required to study the transit operation in Los Angeles County and the present allocation of funds for transportation services, and to submit its recommendations thereon to the Legislature in a progress report not later than July 1, 1977, and in a final report not later than February 1, 1978.

The bill would delay until July 1, 1978, when the final report would have to be submitted, but would also require an interim report be submitted by February 1, 1978.

(14) Under the act, the commissions are required to submit short-range transportation improvement programs to SCAG.

The bill would authorize SCAG to revise the submitted programs in order to resolve conflicts between them or with the adopted regional transportation plan. The State Transportation Board would be required to resolve any disagreement between the commissions and SCAG as to its resolution of such conflicts.

Ch. 951 (AB 796) Boatwright. Irrigation district tax sale redemptions.

Under existing law, in redeeming property which has been sold for delinquent assessments to an irrigation district the redemptioner must also pay to the county all taxes, interest, and penalties which would have been levied by the county and any special district, as specified, if the property had not been sold for taxes, and, if such amounts are not paid and the property has not been sold to the state for delinquent taxes, the county assessor is required to assess the property as though it had escaped assessment.

This bill would delete the requirement that upon redemption from district tax sales, the redemptioner must pay the county such other escaped taxes. The bill would also, for redemption after a collector's deed has been delivered and before the first bid is received or the board determines not to sell the property, specify that the amount that the redemptioner must pay is the total of the amount of each outstanding certificate of sale, a specified penalty on each outstanding certificate of sale, and an amount of escaped district assessment for each year the property escaped the district assessment.

This bill would provide that there shall be no reimbursement nor any appropriation for any state-mandated local costs for a specified reason.

Ch. 952 (AB 1788) Craven. General plans: extension of time to complete.

Existing law permits the Director of Planning and Research, in cases of extreme hardship, to extend the date for adopting the mandatory elements of a general plan for a reasonable period of time.

This bill would allow the director upon making specified findings to grant a reasonable extension not to exceed 1 year for the adoption of 1 or more general plan elements and would specify the procedure to be followed and requirements to be met by a city or county requesting the extension.

The bill also provides a procedure for appeal of the director's decision regarding an extension.

Ch. 953 (SB 458) Holmdahl. Redevelopment: cost of county reports.

(1) Under present law counties are required to prepare a prescribed report on each preliminary redevelopment plan for a redevelopment project area, or proposed boundary change to an existing redevelopment project area, which is within the county, if such preliminary plan or boundary change would involve tax-increment financing. The cost of preparing such reports is presently a county cost.

This bill would require the redevelopment agency filing the preliminary plan or proposal for boundary changes to reimburse such costs, which could be accounted for as a cost of redevelopment if all or any portion of the area in question is later redeveloped. Such requirement would not become operative until January 1, 1978.

(2) Under present law, a community development commission, which is established, succeeds to the authority of the redevelopment agency and housing authority of the community in which it is organized. Effective January 1, 1978, a community may elect not to transfer the functions of its housing authority to the community development commission.

This bill would prevent transfer of the functions of the housing authority to community development commissions established prior to January 1, 1978, except under specified conditions.

(3) This bill would go into effect immediately as an urgency statute.

Ch. 954 (SB 177) Alquist. Public utilities: pole attachment.

Existing law does not specify that the Public Utilities Commission be empowered to regulate the rates, terms, and conditions for pole attachments for wire communication.

This bill would provide such authorization whenever a public utility and a cable television corporation are unable to agree upon the terms, conditions, or compensation for pole attachments, as defined, or the terms, conditions, or cost of the production of surplus space needed for pole attachments, so as to assure a public utility the recovery of not less than all the additional costs of providing and maintaining pole attachments, nor more than the actual capital and operating expenses, including just compensation, of the public utility attributable to that portion of the pole, duct, or conduit used for the pole attachments, including a share of the required support and clearance space, in proportion to the space used for the pole attachments, as compared to all other uses

made of the subject facilities, and uses which remain available to the owner or owners of the subject facilities.

It would also state a legislative finding that the provision of such pole attachment service is and has been a public utility service.

Ch. 955 (SB 201) Smith. School facilities: dedication of land and fees.

Under present law, a subdivider may be required to dedicate land to the school district at the time of approval of the tentative subdivision map and the school district is required, if it accepts the dedication, to repay the subdivider for the costs thereof pursuant to a specified formula.

This bill would authorize, in addition, a city or county, pursuant to an ordinance adopted at least 30 days previously, to require a dedication of land or fees, or both, for elementary or high school classrooms and related facilities, upon a finding that these facilities would be consistent with the general plan, as a condition to the approval of a residential development. Where a finding has been made by a school district that conditions of overcrowding exist, the city council or board of supervisors could not approve a proposed rezoning to, or granting of a permit for residential use, or approval of a tentative subdivision map unless such ordinance has been adopted or a finding is made of specified overriding factors. It would require the school district to account annually for such fees and the expenditure thereof.

Only the payment of fees may be required for subdivisions containing 50 parcels or less.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill.

Ch. 956 (SB 213) Mills. Motor vehicle fuel tax: bus lanes and guideways.

(1) Under the Motor Vehicle Fuel License Tax Law and the Use Fuel Tax Law, a tax is imposed at the rate of 7 cents per gallon.

This bill would authorize a county other than a county with a transit development board or a county under the jurisdiction of a county transportation commission, city and county, county transportation commission, transit development board, transit district, or a city with a population in excess of 500,000 located within a transit district (hereafter referred to as the taxing entity) to impose an additional tax of 1 cent per gallon (or, in the case of compressed natural gas, per 100 cubic feet thereof) on the sale, storage, use, or consumption of motor vehicle fuel, except when used in propelling an aircraft or a vessel, in the area which is under its jurisdiction and which is included in a county which has approved a proposition to authorize the use of state-imposed highway users tax revenues (i.e., gas tax, diesel tax, registration fees, weight fees, and drivers' license fees) for the construction and improvement of exclusive public mass transit guideways, if the voters of the area approve, at a special election, a proposition granting such authority to the taxing entity. The special election could be held only when consolidated with an otherwise scheduled state election or local election for an area which includes the area under the jurisdiction of the taxing entity. In the case of Los Angeles City, it would be authorized to call such a special election only after securing the approval of the Los Angeles County Transportation Commission.

The bill would allow, where 2 or more taxing entities having jurisdiction over the same area are authorized by the voters to impose the tax, only the taxing entity having the largest area under its jurisdiction to impose the tax.

(2) Under existing law, the State Board of Equalization administers the Sales and Use Tax Law (including the Bradley-Burns Uniform Local Sales and Use Tax Law), the Motor Vehicle Fuel License Tax Law, and the Use Fuel Tax Law.

The bill would require the taxing entity to contract with the state board in administering the additional tax on motor vehicle fuel, and the state board would be reimbursed for its cost in administering the tax and its cost of preparation to administer the tax.

(3) Under existing law, the revenues derived from taxes imposed under the Motor Vehicle Fuel License Tax Law that are allocated to the counties and cities may be used for highway purposes and, if authorized by the adoption of a proposition, for the construction and improvement of exclusive public mass transit guideways.

The bill would require, after deductions for administrative costs of the state board, that the revenues derived from the imposition of the additional tax be used for (a) the

planning, construction, and maintenance of, and acquisition of rights-of-way for, such guideways and exclusive bus lanes and related fixed facilities to guideways and bus lanes, (b) the purchase of transit vehicles, as defined, and (c) the payment of principal and interest on voter-approved bonds issued for purposes of (a) or (b).

(4) The bill would require that the distributor of motor vehicle fuel collect the tax from persons the distributor sells to, if a federal agency rules that the tax may not be included in the price charged by distributors.

(5) The bill would provide that there would be no reimbursement to any local agency for any costs incurred by it pursuant to this bill for a specified reason

Ch. 957 (AB 623) Dannemeyer. Elections. roster

Existing law does not require a warning to be placed in the roster of voters informing each voter that it is a punishable crime to fraudulently vote, attempt to vote, vote more than once, impersonate a voter, or attempt to impersonate a voter

This bill would impose such a requirement.

This bill would also state that no reimbursement or appropriation is made to local government for costs incurred under the bill because of a specified reason.

Ch. 958 (AB 1058) Lockyer. Social services: protection of children

Existing law requires certain medical, school, and government personnel to report cases of suspected child abuse to both the local police authority and the juvenile probation department or to either the county welfare department or the county health department. The directors of the county welfare and health departments are required to report such cases to the local police authority and the juvenile probation department. Copies of written reports received by the local police authority are required to be forwarded to the Department of Justice. Probation officers may report instances of such child abuse they have observed.

This bill would include marriage, family or child counselors, psychologists, peace officers, and probation officers among the personnel required to make such reports

Existing law provides that reports of suspected child abuse may be reported by professional medical personnel on a form prescribed by the Department of Justice

This bill would require such reports to be made on a form prescribed by the Department of Justice, in cooperation with the State Office of Child Abuse Prevention, and distributed through county welfare departments.

The bill would provide that neither appropriation is made nor obligation created for the reimbursement of local agencies for costs incurred by them pursuant to this bill.

Ch. 959 (AB 917) Greene. Rehabilitation facilities

Under existing law, any state agency, city or county, political subdivision, or district of the state is authorized to make purchases from workshops for handicapped persons without advertising for bids, under specified conditions.

This bill would appropriate \$10,000 for expenditure during 1977-78 and \$20,000 for expenditure during 1978-79 to the Department of Rehabilitation to be matched by available federal funds for the purpose of establishing a program which encourages such purchases.

Ch. 960 (AB 887) Gage. Veterans' Home of California.

Present law declares certain aged and disabled veterans eligible to become members of the Veterans' Home of California.

This bill would permit a spouse of such a veteran to reside in the home if specified conditions are satisfied.

This bill also would appropriate \$79,125 from the General Fund to the Department of Veterans Affairs for expenditure, subject to approval by the State Public Works Board, for modifications of the sewage treatment plant at the home

Ch. 961 (AB 1453) Craven. Property taxation: veterans' exemption.

Under existing property tax law, property which constitutes the principal residence of the unmarried surviving spouse of a disabled veteran is partially exempt from property taxation if the deceased veteran qualified for the exemption under laws in effect during his or her lifetime

This bill would extend this exemption to unmarried surviving spouses of disabled

veterans who would have qualified for the exemption under the laws effective on January 1, 1977, except that the veteran died prior to January 1, 1977.

The bill would also require the Controller to report the amount of claims of local agencies for state reimbursement of property tax revenues lost as a result of this enactment.

This bill would provide that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement nor appropriation made by this bill for a specified reason.

Ch. 932 (AB 1172) Dannemeyer Physicians and surgeons

Existing law does not require an applicant for a physician's and surgeon's certificate to complete a course in nutrition or to be tested on the subject of nutrition.

This bill would require that the curriculum for an applicant for a physician's and surgeon's certificate provide for adequate instruction in nutrition. This bill would specify that an applicant who graduated from an out-of-state school need not meet such requirements. The bill would state that the Legislature intends that the Division of Licensing of the Board of Medical Quality Assurance urge those responsible for examining physicians to include nutrition in such examination and requires such division to report to the Legislature on or before January 1, 1979, concerning the response of such request.

Under existing law persons holding physician's and surgeon's certificates must comply with continuing education requirements.

This bill would require the Board of Medical Quality Assurance to consider including a course in nutrition among those continuing education requirements for certain physicians and surgeons.

This bill also incorporates additional changes in Section 2192 of the Business and Professions Code proposed in AB 1593, to be operative only if both bills are chaptered, and this bill is chaptered last.

Ch. 933 (SB 115) Nejedly State Mining and Geology Board, members compensation.

Existing law provides for the State Mining and Geology Board of specified members and duties. Existing law also provides that such members shall receive no compensation for their services but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

This bill would provide for the compensation of such board members at \$100 for each day during which the member is engaged in the performance of official duties, limited to \$4,000 in any one fiscal year for members except the chairman, and limited to \$5,000 in any one fiscal year for the chairman.

The bill would also provide that each member would be reimbursed for necessary traveling and other expenses incurred in the performance of official duties.

The bill would appropriate \$10,000 from the General Fund to the Department of Conservation for expenditure in the 1977-'78 fiscal year for the purposes of the bill.

Ch. 934 (SB 781) Sieroty Commission on Peace Officer Standards and Training.

Under existing law, the Commission on Peace Officer Standards and Training consists of 10 members, appointed by the Governor, all of whom are peace officers, or an elected officer or chief administrative officer of a city or county.

This bill would change the size of the commission to 11 members by deleting one elected officer or chief administrative officer of a county and one elected officer or chief administrative officer of a city and adding one educator or trainer in the field of criminal justice and 2 public members who would not be peace officers.

Ch. 965 (AB 530) Hart. Schools: pupil discipline.

(1) Under existing law, teachers, principals, and school district governing boards may suspend pupils for various specified causes or for "good cause" generally.

This bill would enumerate specific offenses which would be the exclusive causes for suspending or expelling a pupil. Such causes would be limited to offenses relating to damage to, or theft of, school or private property, infliction of or threatened physical injury to another person, possession or sale of weapons, possession or sale of drugs, alcoholic beverages, or intoxicants, possession or use of tobacco, commission of obscene

acts or engagement in habitual profanity or vulgarity, disruption of school activities, and defiance of school authorities

(2) Under existing law, on or before the third day of suspension, the parent or guardian of a suspended pupil must be requested to attend a conference with school officials

This bill would require that suspension of a pupil by the principal be preceded by an informal conference between school officials and the pupil, and that at such conference the pupil be informed of the reason for the disciplinary action, the nature of the evidence against him, and that the pupil be given an opportunity to argue against the validity of the suspension. Suspension could be imposed without affording the pupil an opportunity for a prior conference in "emergency" situations constituting a clear and present danger to the lives, safety or health of pupils or school personnel. The bill would prescribe the contents of a notice which school principals must mail to the parent or guardian of a suspended pupil within 24 hours of the beginning of suspension.

This bill would entitle a suspended pupil to make up all assignments and tests missed during the period of suspension which can reasonably be provided, and upon satisfactory completion, given full credit.

Under this bill, a suspended pupil could demand a meeting with the superintendent or the superintendent's designee.

Under this bill, a school principal or a hearing officer or administrative panel could recommend a pupil's expulsion from school for any of the enumerated offenses and the governing board, acting on such recommendation, could order the pupil expelled if it finds that other means of correction have failed to bring about proper conduct, or that the pupil's presence causes a danger to the physical safety of the pupil or others.

This bill would define expulsion to include involuntary transfer to a continuation school.

The bill would make numerous related changes concerning the discipline of public school pupils.

This bill would also appropriate a specified amount to the State Controller for allocation and disbursement to school districts for costs incurred in notifying parents of suspended pupils and conducting meetings between parents of suspended pupils and the superintendent or the superintendent's designee, and further provides that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no additional reimbursement pursuant to that section nor shall there be any additional appropriation made by the bill for a specified reason.

Ch. 966 (AB 551) Hart. Schools: staff development

Existing law provides for various forms of in-service training for teachers employed by school districts.

This bill would authorize school districts, with the participation of school personnel, to establish staff development programs and would require that such programs consolidate existing staff development programs. This bill would specify various objectives for such programs and would require that each program be approved by the school district governing board and the Superintendent of Public Instruction.

This bill would also authorize school districts, with the approval of the Superintendent of Public Instruction, to establish school resource centers to assist school personnel to participate in staff development activities designed to improve their instructional, human development, and counseling skills.

The bill provides that federal and state funds appropriated or apportioned for either of the above-described programs shall not be used to supplant funds currently expended in administering and conducting staff development programs.

This bill would also provide for allocations, from funds appropriated specifically therefor by the Legislature, for the purposes of this act, as specified.

Ch. 967 (AB 799) Brown. Community colleges: capital outlay.

In connection with the Community College Construction Act of 1967, which provides for the allocation of proceeds of a state bond act to community college districts for capital construction, the law currently requires each community college district to submit to the Chancellor of the California Community Colleges for evaluation a 10-year plan of capital construction needs.

This bill would provide, in the case of a community college district which maintains

colleges or one college and one or more educational centers, as defined, that it may additionally submit the plan on the basis of each college or educational center maintained by the district under designated circumstances.

Ch 968 (AB 1428) Papan. Savings and loan associations.

Existing law provides that a savings and loan association may not make any loan other than an amortized loan unless at least 90% of the unpaid principal of all of its loans then in force are amortized loans.

This bill would provide as an alternative to the above, that an association may make unamortized loans in an amount equal to 20% of the unpaid principal of all of its loans in effect, provided that 10% of such loans are loans authorized by this bill. This bill would authorize the Savings and Loan Commissioner to adopt regulations permitting associations to make loans upon the security of residential property which are not otherwise authorized under existing law, provided the mortgage payment instruments have the prior approval of the Savings and Loan Commissioner. This bill would require the Savings and Loan Commissioner to submit an annual report on its effect to the Legislature.

The provisions of this bill authorizing the use of alternative mortgage instruments would remain in effect until January 1, 1983, and be repealed on such date.

Ch. 969 (AB 739) Lockyer. Workers' compensation

Existing law requires, with certain exceptions, employers subject to the workers' compensation law to post and keep posted in each place of employment a notice stating the name of the workers' compensation insurance carrier of the employer.

This bill would also require each such employer to notify every new employee, within a specified time, of his rights to workers' compensation benefits if he is injured on the job.

This bill would provide that there shall be no appropriation made to or reimbursement of any local agency for any costs incurred by it pursuant to this bill because of a stated reason.

Ch 970 (SB 1198) D Carpenter. County superintendents of schools: tax rates: legal services.

Under current law, legal services are provided to various local educational agencies by county counsels, and such agencies may be required to pay for such services under certain conditions. Further, counties may levy and collect general purpose taxes, and a maximum tax rate for fiscally independent county superintendents of schools is prescribed.

This bill would permit an increase in the maximum tax rate of county superintendents of schools to pay the cost of legal services rendered by county counsels if there is an agreement providing for reimbursement of the county by the county superintendent. Further, the general purpose tax rate of the county would be reduced by the same amount for the fiscal year in which such tax is levied.

This bill would take effect immediately as an urgency statute.

Ch. 971 (AB 94) Rosenthal. Landlord and tenant.

Existing law establishes the rights and obligations of landlords and tenants with respect to those payments or deposits of money the primary function of which is to secure the performance of a rental agreement by the tenant, but makes no such provision for those payments or deposits of money, including advance payments of rent, the primary function of which is to secure the execution of a rental agreement. Existing law is silent as to the maximum permissible amount of the former payments or deposits. Such provisions are applicable to both residential and other property.

This bill would provide new provisions with respect to residential property governing security for rental agreements. With respect to such residential property the bill would have the following effects:

This bill would define security as inclusive of any payment, fee, deposit, or charge, thereby eliminating the distinction between payments or deposits based upon their primary function. This bill would specifically provide that an advance payment of rent may operate as security.

This bill would expressly limit the amount of security that may be demanded or received to 2 months' rent in the case of unfurnished residential property, and an amount equal to 3 months' rent in the case of furnished residential property, in addition to any rent for the first month paid on or before the initial occupancy, except as specified.

This bill would require a landlord to furnish a tenant with an itemized written statement of the basis for, and the amount of, any security received from the tenant and the disposition of such security made by the landlord.

This bill would require that the accounting and the return of any unclaimed portion of the security to the tenant be made no later than 2 weeks after the tenant vacates the premises.

This bill would require that an accounting, as previously specified, be given when the landlord returns the unclaimed portion of the security held following the termination of the landlord's interest in the dwelling unit.

This bill would modify the manner of giving notice of such termination.

This bill would provide that the landlord shall have the burden of proof as to the reasonableness of the amount claimed of any security in an action for damages by the tenant for a bad faith claim or retention of all or any portion of the security.

This bill would prohibit the characterization of any security as "nonrefundable" in a lease or rental agreement.

This bill would provide that any provision of a lease or rental agreement of a dwelling waiving the rights or remedies of the tenant under the bill is void as contrary to public policy.

The bill would provide that its provisions, exclusive of those provisions governing the accounting, shall apply only to tenancies, leases, or rental agreements created or renewed on or after the effective date of the bill.

The accounting provisions would be applicable to any tenancy, lease, or rental agreement terminated on or after the effective date of the bill.

Ch. 972 (AB 803) Brown State funds discrimination.

Existing law contains various provisions prohibiting discrimination on the basis of specified criteria.

This bill would expressly provide that no person shall, on the basis of ethnic group identification, religion, age, sex, color, a physical or mental disability, be unlawfully denied the benefits of, or be unlawfully subject to discrimination under, any program or activity that is funded directly by the state or receiving any financial assistance from the state.

In addition, the bill would, in accordance with specified procedures, require state agencies that administer programs and activities that are funded directly by the state or receiving any financial assistance from the state to take action to curtail state funding to a contractor, grantee, or local agency that violates such provisions.

This bill would also require such state agencies that enter into contracts for the performance of services to be provided to the public in an aggregate amount in excess of \$100,000 per year to adopt, pursuant to specified provisions, regulations to implement such provisions.

This bill would declare that such prohibitions and sanctions are in addition to any other prohibitions and sanctions imposed by law and would direct the Secretary of the Health and Welfare Agency, with the advice and concurrence of the Fair Employment Practices Commission, to establish guidelines and standards to implement the provisions of the bill.

Ch. 973 (SB 964) Stull. School district administrators: transfers to teaching—evaluation.

Existing statutes require, where an administrator or supervisor is transferred to a teaching position, the school district to give such employee a statement of the reasons for the transfer, if a request therefor is made.

This bill would require, where such reasons include incompetency, that a specified evaluation of the employee shall have been completed not more than 60 days prior to the giving of the transfer notice.

This bill would also appropriate \$500 to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this act.

Ch. 974 (AB 602) McVittie. Milk inspection and use.

The existing law requires certified milk, which is market milk, to conform to the rules, regulations, methods, and standards for the production and distribution adopted by county milk commissions established pursuant to designated provisions.

This bill would, in addition, provide for the prohibition of the use, sale, or disposal of any raw milk or raw certified milk supply except by a method approved by the Director of Food and Agriculture, when the director, any health officer acting as an agent of the director, or a milk inspection officer acting as an agent of the director having jurisdiction determines, (1) that the oral ingestion by a human being of any such raw milk or certified raw milk supply has caused disease in a human being, (2) that he has good cause to believe, as the result of a specified test, that certain diseases are present in one or more cows or in the milk of one or more cows of any dairy herd, or (3) that he has good cause to believe as the result of a specified test, that such milk supply is suspected to be the source of infection for a communicable disease. It would provide for procedures for obtaining an injunction prohibiting the use, sale, or disposal of such milk and for dissolving such injunction.

The bill would also specify that when the director, a health officer acting as an agent of the director, or milk inspection officer acting as an agent of the director has good cause to believe, as the result of a specified test, that a raw milk or certified raw milk supply, is suspected to be the source of infection for a communicable disease or that it may cause an infection of a communicable disease, he would be required to prohibit the use, sale, or disposal of such milk, except by a method approved by the director, until such cause has been corrected or eliminated.

It would subject the director's or his agent's action taken under the above provisions to judicial review mandamus.

The bill would require that, in the taking of a sample of milk pursuant to the above provisions, a duplicate of any sample of raw milk or certified raw milk be left with the persons in control of, or producers of, such milk.

Also it would declare the legislative intent that the state should not limit the availability of certified raw milk and certified raw milk products if such milk meets certain standards.

This bill would also provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be an appropriation made by this bill for a specified reason.

Also, this bill would take effect immediately as an urgency statute.

Ch. 975 (AB 1191) Thurman. County Employees Retirement Law: benefits.

Existing County Employees Retirement Law of 1937 does not include time during which a member is on uncompensated leave on account of illness as service for purposes of computing benefits.

The bill would include such time if the member makes specified contributions.

The bill would not appropriate any amount to local agencies for their costs because of specified reasons.

Ch. 976 (AB 1375) Cordova. Elections: campaign literature.

Existing law requires every printed matter relating to an election or a candidate to bear upon its face the name and address of the printer and publisher, and prohibits any payment unless the address is so printed. Separate provisions of existing law prohibit the printing, posting, and distributing of certain types of written campaign material which is designed to injure or defeat any candidate for public office or which is designed to promote either the passage or defeat of a ballot measure unless certain information concerning the source of the campaign material is conspicuously placed in the material. A violation of such provisions constitutes a misdemeanor.

This bill would repeal such provisions of law. However, it would substantially recodify such provisions in a single section in the Elections Code. It would also delete the requirement, where applicable, that the name of the printer appear in the campaign literature, and instead would require, in no less than 6-point type, that the name and address of the business or residence of a person responsible for the campaign literature appear on such literature. A copy of such requirements and requirements relating to mass mailings would be required to be provided to candidates and proponents of initia-

tive and referendum measures.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill

Ch. 977 (SB 196) Nejedly Food; donation, charitable purposes

Under the existing law it is unlawful to destroy any fowl, animal, vegetable, or other stuff, product, or article which is customary food, or which is proper for food, for human beings, and is in fit sanitary condition to be used as such, if it is done in restraint of trade.

This bill would do all of the following:

(1) Permit any person engaged in the business of processing, distributing, or selling any agricultural product, as defined, to donate, free of charge, any such product which is in such a condition that it may be used as food for human beings to a nonprofit charitable organization, as defined, within the state.

(2) Permit the board of supervisors of any county to establish a 24-hour information and food collection center.

(3) Permit such board of supervisors to provide for the inspection of such agricultural products by the county health officer prior to delivery to determine whether such products may be used as food for human beings.

(4) Relieve, with prescribed exceptions, the county and any person who donates any agricultural product from liability for any injury, including, but not limited to, injury resulting from the ingesting of such agricultural product, as a result of any act or omission in connection with donating any agricultural product pursuant to the provisions of the bill.

(5) Provide that nothing in the bill shall relieve any nonprofit charitable organization from any liability for any injury including, but not limited to, injury resulting from ingesting such agricultural product, as a result of receiving, accepting, gathering, or removing any agricultural product donated under such provisions

(6) Grant personal and corporate income tax deductions to taxpayers who donate agricultural products under this bill in an amount equal to the cost of any such products

(7) Prohibit a nonprofit charitable organization that receives any agricultural product pursuant to this bill from selling or offering to sell any such product or from moving or transferring it out of the state, except that fruits, nuts, and vegetables not meeting state standards for maturity, quality, size, standard pack, and container and labeling requirements may be shipped out of state pursuant to regulations adopted by the director. It would also prohibit any person or employee of a public agency, from selling, offering to sell, using, or consuming any agricultural product donated pursuant to the bill, but would provide an exception for a recipient of an agricultural product provided as charitable assistance by a nonprofit charitable organization who shall use or consume the agricultural product provided.

(8) Require the board of supervisors to assure that agricultural products distributed at public expense are not donated to organizations that are capable of purchasing them.

(9) Provide that the bill would only be effective until January 1, 1980, unless a later enacted statute extends or deletes that date

(10) Provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be an appropriation made by this bill for a specified reason.

Ch. 978 (SB 241) Holden. Schools: genetic disease prevention.

Under current law, public schools are required to provide health instruction to pupils in the elementary and secondary grades

This bill would require the Department of Education to prepare and distribute guidelines and plans for the preparation of programs for the prevention of genetic diseases, disorders, and birth defects to be conducted in grades 7 through 12, inclusive, and to assist school districts in the development of such programs in a specified manner.

This bill would appropriate \$140,000 to the Department of Education for purposes of this bill during the 1978-79 fiscal year.

Ch. 979 (AB 460) Egeland. Minors: medical care and counseling.

Under existing law, with certain exceptions, contracts made by minors are voidable and at the option of a minor.

This bill would authorize a minor who has attained the age of 12 years, to consent to the furnishing of hospital care, medical care, or counseling related to the diagnosis or treatment of a drug or alcohol related problem, as defined. It would provide that such consent is not disaffirmable and, except as specified, that the parent, parents, or legal guardian of the minor are not liable for payment for such care.

It would specifically exclude methadone treatment from the scope of such authorization.

Ch 980 (AB 1344) Rosenthal. Medical devices.

The Sherman Food, Drug, and Cosmetic Law prohibits the sale, delivery, or giving away of defined new devices, unless the State Department of Health has approved a new device application for the device or unless the device is used in the scope of the license privilege of specified licentiates of the healing arts.

This bill would revise such law to permit sale, delivery, or giving away of new devices for which a premarket approval application has been approved, to permit use of new devices for investigational purposes under federal law, and to delete the authorization in existing law for use of unapproved new devices by specified licentiates of the healing arts within the scope of their license privilege.

The bill would authorize the State Department of Health to establish performance standards for devices and would provide that, if a federal performance standard has been established for a device or a state device standard approved by the United States Secretary of Health, Education, and Welfare, as prescribed, such standard shall be the performance standard for the device in this state. Any device not conforming to such an established and applicable performance standard, would be adulterated for purposes of the Sherman Food, Drug, and Cosmetic Law.

This bill would provide that no appropriation is made for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason

Ch 981 (SB 989) Beverly. Workers' compensation: lifeguards.

Existing law provides to certain local safety members who are members of designated retirement systems who are disabled by illness or injury arising out of and in the course of their employment a leave of absence without loss of salary, in lieu of temporary disability benefits otherwise payable, for the period of disability, not to exceed one year, or until earlier retired on permanent disability pension.

This bill would add to the class of persons entitled to such benefit lifeguards employed year round on a regular, full-time basis by a county of the first class who are members of a system under the County Employees Retirement Law of 1937.

This bill would also provide that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant to this act for a specified reason.

Ch. 982 (AB 1620) M. Waters. AFDC: recurring special needs.

Under the aid to families with dependent children program, an eligible family is entitled to receive, in addition to a basic aid amount, an allowance for recurring special needs not common to a majority of recipients which does not exceed the minimum basic standards of adequate care.

This bill would provide that such allowance shall not exceed \$10 per month multiplied by the number of recipients in the family who are eligible for assistance, instead of the minimum basic standards of adequate care.

The bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act.

Ch 983 (AB 1238) Ingalls. Air pollution: tank vehicles.

(1) Under existing law, the State Air Resources Board is required to certify cargo tanks on tank vehicles according to its adopted procedures and performance standards.

This bill would require the state board to certify vapor recovery systems for such cargo tanks and to send a verified copy of the certification to the registered owner of the tank

vehicle to be retained therein. The state board also would be required to issue a decal for a certified vapor recovery system to be placed on the cargo tank where the decal can be readily seen. The state board would be required to send, free of charge, a certified copy of the certification and test results of any cargo tank vapor recovery system on a tank vehicle operated in any air pollution control district to that district.

(2) Under existing law, the state board is required to charge a fee for such certification, but not to exceed its estimated cost therefor.

The bill would require the fees to be deposited in the Air Pollution Control Fund, a continuously appropriated fund, to reimburse the state board for its costs in issuing certification and would therefore make an appropriation.

(3) The bill would authorize the state board to revoke or modify the certification of any cargo tank vapor recovery system if circumstances beyond control of the state board would cause the system to no longer meet the required specifications for certification.

(4) The bill specifically would authorize the state board to require annual certification of such systems.

(5) The bill would prohibit any district from imposing any fees on, or require certification of, tank vehicles with such systems or tank vehicles that are exempted from certification by the state board and are used exclusively to serve gasoline storage tanks not required to be equipped with gasoline vapor control systems. The districts, however, would be authorized to test and inspect cargo tank vapor recovery systems on tank vehicles and to enforce this act and rules and regulations applicable to such systems.

(6) The bill would state the declaration of the Legislature regarding state preemption with regard to such systems on tank vehicles.

(7) The bill would recast provisions regarding cargo tanks on tank vehicles, which provisions would be amended as indicated to apply to such systems.

Ch. 984 (AB 175) Lanterman. Developmental disabilities.

Under existing law, there are provisions for assessment and commitment of developmentally disabled persons.

This bill provides a detailed procedure for such assessment and rights of judicial appeal therefrom.

The bill would make other technical changes in the law.

This bill would take effect immediately as an urgency statute, but provisions added by the bill would remain operative only until January 1, 1979.

Ch. 985 (AB 1013) Arnett. Public social services: state hospital patients

Under existing law, recipients of federal benefits under Title XVI of the Social Security Act who receive care in a medical facility under the Medi-Cal Act or in a nonmedical out-of-home care facility, receive a specified sum per month for their personal and incidental needs.

This bill would provide that any state hospital patient who has resided in the state hospital for at least 30 days shall be paid an amount of aid for his personal and incidental needs which when added to his income equals \$12.50 per month.

Ch. 986 (AB 1283) Gage. Recreation. federal funds allocation.

Under existing law, of the annual apportionment of federal funds for outdoor recreational purposes received by the Director of Parks and Recreation pursuant to the federal Land and Water Conservation Fund Act of 1965, 50% is allocated for local governmental agency projects and 50% for state agency projects after deductions of specified amounts, including 10% for deposit in a contingency fund. Existing law requires that 60% of the state agency share of such funds be disbursed to the Department of Parks and Recreation and 30% of such share be disbursed to the Wildlife Conservation Board.

This bill would revise the allocation of such funds between state and local agency projects so that 30% is allocated for regional projects, 30% for less-than-regional projects, and 40% for state agency projects, after deductions for specified amounts, including 6% for deposit in a contingency fund. The bill also would revise the allocation of the state agency share of such funds so that 55% is disbursed to the department and 35% is disbursed to the board. The bill would provide for the definition of "regional" and "less-than-regional" by the director by regulation.

The bill would become operative on July 1, 1978.

Ch. 987 (AB 641) Suitt. Reserve peace officers

Under existing law, whenever any qualified person is deputized or appointed by the proper authority as a reserve or auxiliary sheriff or city policeman, or as a deputy sheriff, and is assigned specific police functions by such authority, such person is a peace officer for the duration of such specific assignment.

This bill would make such a person a peace officer only if the person meets certain requirements respecting training and duties.

The bill would impose various powers and duties upon the Commission on Peace Officer Standards and Training in connection therewith, including the establishment of standards of recruitment and training and the establishment and collection of fees.

Such fees would be deposited in the Peace Officers' Training Fund, which fund is continuously appropriated under existing law for specified purposes. The deposit of such fees in that fund would result in an increase in the amount of money so appropriated.

Existing law does not expressly provide for the licensing of reserve peace officers for the purpose of concealed carrying of concealable weapons and does not permit such carrying of such weapons while not on duty.

This bill would provide for the licensing of reserve peace officers for the purpose of concealed carrying of concealable weapons for a period of 3 years.

The bill would also appropriate \$30,000 from the Peace Officers' Training Fund to the Commission on Peace Officer Standards and Training for the purposes of the bill.

Ch. 988 (AB 1745) Knox. Liens: service dealers: Bureau of Repair Services

Existing law authorizes a lienholder to sell at auction, after specified notice of sale, that property upon which he has a lien.

This bill would permit a lienholder who is a service dealer registered with the Bureau of Repair Services to dispose of serviced products upon which he has a lien if such products are of nominal value, as defined, and specified notice requirements are complied with

Ch. 989 (AB 856) Agnos. State civil service: compensation

Existing law authorizes the State Personnel Board to pay a rate above the maximum of a state civil service class when an employee is moved to a position in a lower class because of reductions in force and if the employee has 10 years of state service.

This bill would define "state service" for this purpose to permit the inclusion of up to one year's time during which the employee was laid off or on a leave of absence, for specified purposes, from state service

Existing law provides that an employee shall be reinstated to his former position after termination of a career executive assignment if he so desires

This bill would, in addition, provide that any person who prior to March 30, 1977, was reinstated to a career executive assignment or appointed to an exempt position after a break in service and who held such position on May 31, 1977, shall have the right to return to the last permanent civil service position prior to such break in service upon termination of the career executive assignment or exempt position.

Ch. 990 (AB 1051) Keene. Fair purposes. appropriation

Generally, the fees, commissions, and other money received from horseracing under the Horse Racing Law are required to be deposited in the Fair and Exposition Fund. The existing law, in addition to providing for certain designated appropriations from the fund, appropriates, annually, from the first balance of the fund \$150,000 of designated 5% of the fund to the citrus fruit fairs held in counties with a population in excess of 160,000, and requires that the balance of such 5% be allocated to designated citrus fruit fairs held in counties with a population of less than 160,000

This bill would, instead, appropriate, annually, \$150,000 of such 5% to citrus fairs held in counties within area 7 as described by designated provisions, and would require that the balance of such 5% be allocated for designated fair capital outlay projects. Further, it would require that other citrus fairs and expositions in designated areas be eligible for apportionment from the provisions requiring annual apportionments to county, district, or combined county and district agricultural fairs on the basis of need.

Also, this bill would incorporate additional changes in Section 19627 of the Business and Professions Code, proposed by Assembly Bill No. 701, to be operative only if Assem-

bly Bill No. 701 and this bill are both chaptered and become effective January 1, 1978, and this bill is chaptered last.

Ch. 991 (AB 983) Knox. Real estate syndicates: securities

Existing law divides the jurisdiction over the sale of securities by real estate syndicates between the Real Estate Syndicate Act, as administered by the Real Estate Commissioner, and the Corporate Securities Law, as administered by the Commissioner of Corporations, depending upon the number of investors in such syndicates and whether certain operations of a real estate venture are within the definition of a "real estate syndicate"

This bill would provide that the transactions involving the securities of real estate syndicates shall be regulated by the Corporate Securities Law, would repeal the Real Estate Syndicate Act, would provide that real estate brokers engaged in securities transactions involving such syndicates be licensed and disciplined for violations of the Corporate Securities Law by the Real Estate Commissioner, would exempt a real estate broker engaged in such transactions from the licensing provisions of the Corporate Securities Law, and would make provision for the continuation of existing permits, orders, consents, administrative orders, pending applications and pending proceedings under the Real Estate Syndicate Act during the period of transition

Ch 992 (AB 915) Dixon. Schools. county boards of education: county community schools

Under existing law, county superintendents of schools may, under various circumstances, establish and maintain various classes and programs

This bill would permit the establishment and maintenance of county community schools for the education of various specified categories of pupils.

This bill would specify a procedure for receiving apportionments from the State School Fund, would prescribe limitations on the enrollment in county community schools, and would specify a general course of study in such schools

This bill would require an evaluation by the Department of Education

The bill would declare that no new duties, obligations or responsibilities requiring reimbursement under Section 2231 of the Revenue and Taxation Code are imposed upon local governmental entities by the bill

Ch. 993 (AB 1128) Wray. Vehicles. equipment. theft alarm system. flashing lights, audible signal.

Under existing law, flashing lights are prohibited on vehicles except as otherwise specifically permitted. In addition, a horn on a motor vehicle may be used only when reasonably necessary to ensure the safe operation of a motor vehicle

This bill would permit a motor vehicle to be equipped with a theft alarm system which flashes the lights of the vehicle or sounds an audible signal, or does both, in a specified manner. The bill would specifically prohibit the equipping of any vehicle with a theft alarm system which emits the sound of a siren and would require that any such system be designed to be activated only when the vehicle is parked.

The bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the act for a specified reason.

Ch. 994 (AB 123) McAlister. Insurance: certificates of authority regulation of rules-title company.

Existing law prohibits any person from transacting any class of insurance business in this state without first being admitted for such class by procuring a certificate of authority from the Insurance Commissioner

This bill would make the unlawful transaction of insurance business a public offense punishable by imprisonment or by fine not exceeding \$100,000, or both, and would require such activities to be enjoined by a court on petition of the commissioner.

Existing law provides for a confidential notice of noncompliance by the Insurance Commissioner to certain insurers and rating organizations and a maximum 10-day period to correct such noncompliance where such insurers and rating organizations are in nonwillful violation of the Insurance Code provisions relating to the regulation of rates. If the noncompliance is not corrected or explained under existing law, a public hearing is required.

This bill would provide for such procedure regardless of whether the violation is nonwillful, and would remove the requirement that such notice be confidential and would permit the insurer or rating organization served with notice of noncompliance to establish that such noncompliance does not exist, request a public hearing, or enter into a consent order with the commissioner to correct the noncompliance.

Existing law provides that if the commissioner, after a hearing finds that any rate, rating plan, or rating system is in violation of law, he is authorized to prohibit the further use of such rate or rating system.

This bill would, additionally, empower the commissioner to direct the insurer or rating organization to take such other corrective action as he may deem necessary and proper.

Existing law provides that if noncompliance is willful, or if within a specified period prescribed by the commissioner, the insurer, organization, group, or association does not make the changes specified in the notice, or does not establish that the noncompliance does not exist, the commissioner may hold a public hearing in connection therewith.

This bill would revise such requirement to provide that the public hearing be discretionary with the commissioner or if other specified conditions are found to exist then the commissioner may hold a public hearing by mailing notice not less than 30 days prior to the date set for hearing specifying the matter to be considered.

This bill would also make a finding by the commissioner with respect to rate violations and other prescribed violations subject to imposition by the commissioner of a monetary penalty not to exceed \$1,000 per day or not to exceed \$30,000 in the aggregate.

Under existing law, an underwritten title company may engage in the escrow business if, among other things, it maintains a fidelity bond in an amount not to exceed \$200,000.

This bill would permit the commissioner, in his sole discretion, to accept a cash deposit in an amount not to exceed \$200,000 in lieu of this bond.

The bill would make conforming changes.

Ch. 995 (AB 1787) Mello. Municipal court: Monterey County.

Existing law authorizes the establishment of 2 municipal court districts in Monterey County.

This bill would authorize the establishment of the North Monterey County Judicial District, would provide for the number and compensation of various personnel, and would provide that the officers and employees of the Castroville-Pajaro Judicial District shall succeed to positions in the North Monterey County Judicial District.

Existing law prescribes the number of, and compensation for, other municipal court employees in Monterey County.

This bill would increase the number of, and compensation for, specified personnel in the other municipal courts in Monterey County.

Existing law specifies that there shall be 2 court commissioners for the Salinas Judicial District.

This bill would repeal such provisions.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desire authority to act pursuant to the act.

Ch. 996 (AB 1492) Arnett. Crimes.

Under existing law, a person is required to apply for a license to carry a concealed weapon. The forms for applications and licenses are prescribed by the Attorney General.

This bill would provide that such applications are to contain a declaration that the applicant attest to the truth of the statements contained therein. Further, it would provide that the filing, with knowledge, of such declaration containing a false statement is a misdemeanor.

It would also provide that no reimbursement to local agencies for costs incurred is made as a result of the enactment of the bill for a specified reason.

Ch. 997 (SB 772) Garamendi. Credit unions: employee groups.

Existing law permits a central credit union, with the approval of the Commissioner of Corporations and under such regulations as he shall prescribe, to admit to membership, groups of employees of a common employer, of at least 25 in number and whose place of employment is located within 25 miles of the principal office of the central

credit union, upon application made by the employer and approval of the board of directors of the central credit union.

This bill would permit a central credit union, as provided above, to admit to membership, groups of employees of a common employer of at least 25 in number and whose place of employment is located within the boundaries of a greater or lesser geographic area prescribed by the commissioner.

Existing law provides that whenever the employee group of a central credit union exceeds 100 in number, or the outstanding share balances of the group exceed in the aggregate \$100,000, such employees will no longer be eligible for membership in the central credit union and permits them to organize a separate credit union.

This bill would delete the foregoing provisions and substitute therefor, an authorization for employees of an employee group in excess of 500 to organize a separate credit union, thereafter being ineligible for membership in a central credit union.

Ch. 998 (SB 1121) Beverly Insurance: regulation of administrators.

Existing law contains no specific provisions regulating persons denominated "administrators" who collect charges or premiums from, or who adjust or settle claims on, residents of this state in connection with life or health insurance coverage or annuities.

The bill would require that an administrator would only be authorized to act in such capacity pursuant to a written agreement with an insurer, and would establish various conditions and limitations upon the conduct of the business of an administrator.

Ch. 999 (SB 482) Holden. Elections voter registration

(1) Existing law authorizes citizens and organizations to distribute voter registration cards anywhere in the county.

This bill would require of such citizens and organizations that if they receive completed registration cards from voters they must return the completed cards to the county clerk or deposit such cards in the mail within 3 days, excluding Saturdays, Sundays, and state holidays, of receipt from a voter. It would also require such citizens or organizations which undertake a distribution of cards by mail to persons who have not requested the cards to enclose a prescribed cover letter or notice.

(2) Existing law requires all deputies and registration clerks to return all voter registration materials to the county clerk upon the closure of registration.

This bill would also require certain organizations which distribute voter registration cards to return all affidavits of registration which are in their possession upon the closure of registration.

(3) Existing law makes it a misdemeanor for any person to willfully interfere with the prompt transfer of a completed affidavit of registration to the county clerk.

This bill would specify that it constitutes a misdemeanor for any person to retain a voter's completed voter registration card for more than 3 days, excluding Saturdays, Sundays, and state holidays, or to deny a voter the right to return to the county clerk the voter's own completed registration card.

This bill would incorporate changes in Section 507, Elec. C., proposed by AB 1328 to be operative only if this bill is chaptered after AB 1328.

Ch. 1000 (SB 866) Mills. San Diego Metropolitan Transit Development Board

(1) Under the Mills-Alquist-Deddeh Act, after allocation for specified administrative cost and planning, up to 10% of the funds available for allocation in the area under the jurisdiction of the San Diego Metropolitan Transit Development Board (hereafter referred to as the transit board) is required to be allocated to the transit board for the planning and administration of exclusive public mass transit guideways.

This bill would authorize such allocations to the transit board to be used to carry out its powers, duties, and functions.

(2) Under the Mills-Deddeh Transportation Development Act (hereafter referred to as the act), 1 member of the transit board is a city councilman appointed jointly by the City Councils of the Cities of El Cajon and La Mesa from their membership.

The bill would include the City of Lemon Grove in making this joint appointment.

(3) Under the act, there is no limit as to the number of successive terms a member may serve as chairman of the transit board.

The bill would limit to 2 the number of successive terms a member may serve as chairman.

(4) Under the act, each member of the transit board, except alternate members, is paid \$75 for each day the member attends meetings of the transit board and his necessary and reasonable expenses in performing his duties as a board member.

The bill would make such payments to any alternate member when serving in the absence of a regular member.

(5) Under the act, the alternate members may not vote on the adoption of any plan or annual budget.

The bill would authorize an alternate member to do so if the alternate member is an elected official and has written authorization and instructions from the regular member on how to vote.

(6) Under the act, if the transit board proposes to operate, or let a contract for the operation of, a guideway system, the transit board is required to submit its plan for such operation or contract to the Legislature at least 1 year in advance of commencing such operation or letting such contracts

The bill would delete such a requirement.

(7) Under the act, the transit board is required to take all action necessary to secure the maximum amount of funding available for mass transportation capital expenditure in urban areas under the Urban Mass Transportation Act of 1964, as amended by the National Mass Transportation Assistance Act of 1974.

The bill would authorize the transit board to secure such funding under that act, instead of requiring the transit board to secure the maximum of such funding.

(8) Under existing law, the transit board is allocated the maximum allowed for guideway construction. The funds so allocated are retained in the State Highway Account in the State Transportation Fund until required by the transit board. Commencing on July 1, 1983, the amount allocated to the transit board each year is required to be reduced by an amount equal to the amount, if any, by which the amount being retained in the State Highway Account exceeds the total amount allocated to the transit board during the prior 5 years.

The bill would deem funds encumbered as a result of the letting of a contract for guideway construction by the transit board not to be funds retained by the transit board.

Ch. 1001 (SB 911) Mills. State Historical Building Code.

Under existing law, a 15-member State Historical Building Code Advisory Board is established within the Office of Architecture and Construction to act as a consultant to the State Architect and state agencies and to recommend regulations for adoption under the State Historical Building Code.

This bill would increase the membership of the State Historical Building Code Advisory Board to 18 members. The bill would authorize the appointment of an alternate for each member who could serve in place of the member.

Ch. 1002 (SB 1001) Deukmejian. Income tax: deferred compensation.

Chapter 534 of the Statutes of 1976 made comprehensive changes in the Personal Income Tax Law with respect to the taxation of contributions to and income of retirement, pension, and profit-sharing plans.

This bill makes technical corrections.

This bill also provides, in conformity with federal income tax laws, that the earnings from contributions to individual retirement accounts during the 1975 taxable year are subject to state income tax when distributed to the beneficiary, rather than being taxed currently.

The bill also provides that if any provision of law revised by this bill is also revised by AB 302 and both bills are enacted in 1977, then the revision made by AB 302 shall prevail over the revision by this bill.

To take effect immediately, tax levy.

Ch. 1003 (SB 654) Mills. School food. nutrition.

There is no requirement, under existing law, that the Department of Education conduct a study of the nutritional value of food served in public schools.

This bill would require the Department of Education to do so, with the cooperation of the State Department of Health, and report thereon, after review and approval by the State Board of Education, to the Legislature by February 1, 1979.

Ch. 1004 (SB 1091) Campbell. Property tax exemption: water systems.

Under existing law, certain property which is owned by a nonprofit corporation and leased to, and used exclusively by, government for its interest and benefit is exempted from property taxation, if certain conditions are met.

This bill would include public corporations in the definition of government, for purposes of exempting property leased to such corporations, and would also specify that water systems and waste water facilities are included in the definition of such property, and therefore qualified for exemption if such conditions are met.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for any property tax revenues lost by them pursuant to this bill for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 1005 (SB 714) Marks. School districts: leases, maximum tax rates

Under current law, a school district or community college district may enter lease agreements for real property and buildings to be used by the district. The district may obtain an authorization from the electors of the district to increase the maximum tax rate of the district for such purpose, but the authorization becomes void if no agreement is entered into within 3 years after the election.

The bill would specify that if the governing board of a school district with an average daily attendance in the 1975-76 fiscal year of 65,000 or more is prevented from entering into an agreement because of litigation, the authorization to raise the maximum tax rate would not become void for 3 years after the effective date of this bill.

Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.

This bill would take effect immediately as an urgency statute.

Ch. 1006 (SB 459) Alquist. Insulation material: standards

Under existing law, there is no requirement that insulation meet any specified standard.

This bill would require the State Energy Resources Conservation and Development Commission to adopt standards for insulation material by July 1, 1978, and prohibit the sale or installation of insulation material not meeting those standards one year after adoption of the standards. The bill would also provide for judicial enforcement, including civil penalties, and disposition of such penalties and would define terms.

Ch. 1007 (SB 505) Gregorio. California Housing Finance Agency: budgetary control.

Under present law the California Housing Finance Fund and the Housing Rehabilitation Insurance Fund are both continuously appropriated to the California Housing Finance Agency. With respect to the application of such funds, the agency is expressly exempted from general provisions of law relating to supervision and budgetary approval, including budgetary supervision by the Secretary of the Business and Transportation Agency and budgetary controls exercised by the Department of Finance. However, the secretary is required to review the budget of the California Housing Finance Agency, and such budget accompanied by the secretary's comments is required to be submitted to the Joint Legislative Budget Committee for review and comment. Also, the President of the California Housing Finance Agency is required to prepare an annual budget for submission to the secretary and the Director of Finance at least 90 days prior to the close of the fiscal year, and the chairperson of the California Housing Finance Agency is required to present the comments of the secretary and director to the board of directors of the California Housing Finance Agency when presenting such budget for adoption.

This bill would revise the above outlined procedure, for review and comment upon proposed budgets of the California Housing Finance Agency. This bill would require the president of such agency to submit the proposed budget to the Secretary of the Business

and Transportation Agency, Director of Finance, and Joint Legislative Budget Committee on or before December 1 of each year. The bill would require the Joint Legislative Budget Committee to submit its analysis of, and comments on, the proposed budget to the chairperson of the fiscal committee of each house of the Legislature and the chairperson of the California Housing Finance Agency prior to adoption of the agency's budget.

This bill would not be operative if SB 1123 is chaptered and effective January 1, 1978, and makes the changes proposed by this bill.

Ch 1008 (SB 1153) Presley. Early ballot pickup and processing.

Under existing law, both the pickup of voted ballots and their processing are conducted after the close of the polls.

This bill would authorize a pilot project permitting the election boards of the counties of Riverside and San Diego to allow clerks to collect and process, but not to tabulate, the voted ballots for certain designated precincts prior to the close of the polls.

The bill would also require the State Commission on Voting Machines and Vote Tabulation Devices to adopt regulations concerning the procedure to be followed in the early collection and processing of ballots. It would prohibit the release and tabulations of the results from the early processing of ballots.

The bill would provide that its provisions would be operative only until January 1, 1982, and as of such date would be repealed.

Ch. 1009 (SB 599) Nejedly. Notaries public.

(1) Existing law requires a notary public to keep a record containing specified information.

This bill would revise such provisions to require a notary public to keep a sequential journal containing specified information.

(2) Existing law contains no express provision requiring a notary public, upon written request of the Secretary of State's office, to furnish certified copies of such notary's journal to the Secretary of State.

This bill would require a notary public, upon written request of the Secretary of State's office, to furnish to the Secretary of State certified copies of such notary's journal.

(3) Existing law contains no express provision requiring a notary public to respond within 30 days of receiving a written request sent by certified mail from the Secretary of State's office for information relating to official acts performed by the notary public.

This bill would require a notary public to respond within 30 days of receiving a written request sent by certified mail from the Secretary of State's office for information relating to official acts performed by such notary.

(4) Existing law provides that when a notary public dies, resigns, is disqualified, is removed from office, or allows the appointment to expire without obtaining reappointment within 30 days, the records and public papers of such notary public shall be delivered within 30 days to the clerk of the county in which the principal place of business is located. No crime or liability is expressly specified for failure to comply with such provisions.

This bill would revise such provisions to require, upon the occurrence of one of the specified events, that all notarial records and public papers be delivered within 30 days to the clerk of the county in which the notary public's current official oath of office and bond are on file, rather than in the county in which the principal place of business is located. It would also specify that if a notary public neglects or refuses to deliver such records and papers to the county clerk within 30 days, such notary shall be guilty of a misdemeanor and be personally liable for damages to any person injured by such action or inaction.

(5) Existing law requires every person appointed a notary to execute an official bond in the amount of \$5,000.

This bill would, commencing January 1, 1978, require every person appointed a notary public to execute an official bond in the amount of \$10,000 instead of \$5,000.

(6) Existing law specifies several grounds upon which the Secretary of State may refuse to appoint, or revoke the commission of, a person as a notary public.

This bill would revise such provisions.

(7) Existing law contains no provision expressly providing that if the Secretary of State

determines that a notary public has committed or omitted acts which constitute grounds for suspension or revocation of the notary public commission, the resignation or expiration of the notary public commission shall not be a bar to instituting or continuing the investigation or instituting disciplinary proceedings

This bill would expressly provide that even if a notary public is suspended or the notary's commission revoked, such is not a bar to further investigation or disciplinary proceedings.

(8) Existing law does not require the Secretary of State to notify the county clerk of the county in which the notary public's principal place of business is located when a notary's commission is revoked.

This bill would require the Secretary of State to file a copy of such revocation in such county and would require the county clerk to note such revocation and its date on the original record of such certificate

(9) Existing law contains no express provision authorizing the Secretary of State to adopt rules and regulations to carry out specified provisions of the law relating to notaries public.

This bill would authorize the Secretary of State to adopt rules and regulations to carry out specified provisions of the law relating to notaries public

(10) Existing law contains no express provision making it unlawful for a person to knowingly destroy, deface, or conceal records or papers belonging to the office of a notary public.

This bill would expressly make such action a misdemeanor and provide that a person engaging in such action shall be liable in a civil action for damages to any party injured as a result of such destruction, defacing, or concealment of such records or papers

(11) Existing law does not contain a specific provision making it unlawful for notaries public to advertise or hold themselves out as immigration specialists

This bill would expressly make such activities unlawful and provide that any person violating such provisions shall have their commission of notary public revoked and be ineligible for reappointment as a notary public in California

(12) Existing law does not contain an express provision prohibiting notarial acts when the notary has a financial or beneficial interest in the transaction

This bill would expressly make such activities unlawful

(13) Existing law does not prohibit a notary public from taking his or her own acknowledgments, depositions, or affidavits

This bill would enact this express prohibition

(14) Existing law contains no express provision making it a misdemeanor for a person to solicit, coerce, or in any manner influence a notary public to perform an improper notarial act

This bill would make such provision

(15) Under existing law, the fee for issuing a commission as notary public is \$6

This bill would delete such provision and require the Secretary of State to establish by regulation, fees, not to exceed \$15, to cover the costs of commissioning notaries

(16) Existing law contains no provision requiring notary public applicants to be fingerprinted

This bill would require the Secretary of State to require that applicants be fingerprinted

(17) The existing law prohibits, with certain specified exceptions, a county officer from being a notary public

This bill would delete such provision

(18) This bill would make other technical changes to the law governing notaries public.

This bill would also provide that there shall be no reimbursement or appropriation made to local governmental entities by this act for a specified reason

Ch 1010 (SB 286) Ayala Property taxes: assessment hearings, county procedures

Existing law requires the State Board of Equalization to prescribe and enforce the use of all forms for the assessment of property for taxation

This bill would specify that the State Board of Equalization shall prescribe and enforce the use of forms to be used for the application for reduction in assessment

This bill would become operative on July 1, 1978

Ch. 1011 (SB 268) Greene State funds

Existing law does not specifically prohibit the use of state funds or employee activities financed by the state for accounting of nonstate funds

This bill would prohibit the direct or indirect use of state funds or employee activities financed by the state for accounting of, or authorizing the disbursement of, any funds of any state agency, except through accounts approved by the Department of Finance, which shall be reported in official financial statements, and except for accounting of nonstate funds as a part of an investigation in which the state is involved

Ch 1012 (AB 31) Lewis Birth records: notation of death

Nothing in present law requires public records of birth to be altered or indexed to indicate the death of the registrant

(1) This bill would require the State Registrar of Vital Statistics, who is the Director of Health, to indicate the date of death on state-maintained birth records, as prescribed, whenever the State Registrar, on or after January 1, 1978, receives a death certificate for which a birth certificate is also on file with him. The State Registrar would be authorized to similarly revise or index birth records for which the registrant's death certificate was previously received if funding is made available therefor.

This bill would require that a certified copy of a birth certificate issued for a person whose death has been noted in state birth records shall bear the legend "DECEASED". The State Registrar would be required to provide local registrars of births and deaths and county recorders with such information without charge, and the local registrars and county recorders would be required to conform their records or indexes upon receipt of such lists

(2) Under existing law, there are detailed provisions for the amendment of birth records to reflect a change in surname of parents. The bill would repeal these provisions, and instead require the registrars to provide upon request, certified copies of marriage dissolutions registered with them.

(3) The bill would also prohibit copies of divorce, annulment and separate maintenance records from containing specified information.

(4) Under existing law, the fee for a certified copy of a birth, fetal death, death, or marriage record is \$2.

This bill would raise the fee to \$3, include marriage dissolution records, and require every local registrar or county recorder collecting the fee to transmit \$0.50 of the fee to the State Registrar by the 10th day of the month following the month of receipt.

(5) This bill would also provide that no appropriation is made for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason.

Ch 1013 (SB 108) Holden South Coast Air Quality Management District: financing of operations

Existing law requires each county within the South Coast Air Quality Management District to pay an apportioned amount to finance the operations of the south coast district. Existing law also provides that any such county not paying its apportionment, in full, shall become liable to the state for payment of interest, at a designated rate, on amounts disbursed from state funds that represent the unpaid portion of the county's apportionment, and, if the interest is not paid, it will be withheld on July 1, 1977, from revenues collected by the state for such county pursuant to its sales and use tax ordinance.

This bill would excuse such counties from the obligation to pay interest on such amounts and would make conforming changes.

The bill would take effect immediately as an urgency statute.

Ch 1014 (AB 1808) Craven. Schools. classified employees, merit system rules and regulations

Under current law, a merit system may be established for classified school and community college employees, in which many employer-employee matters are under the direct jurisdiction of a personnel commission rather than the governing board. The commission must adopt various rules and regulations.

This bill would delete from the subjects to which the rules shall pertain, the subject of "service ratings" and substitute "performance evaluations" therefor.

This bill would also require such rules to be in accordance with a negotiated agreement, if any, between the exclusive representative of the bargaining unit and the public school employer, with respect to those matters which are subject to negotiation.

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason.

Ch 1015 (SB 70) Najedly. Abandoned railroad rights-of-way.

Pursuant to existing law the Department of Transportation is required to acquire specified abandoned railroad rights-of-way and other property for use in public transportation, and \$3,500,000 was appropriated from the Abandoned Railroad Account in the State Transportation Fund for that purpose.

This bill would require the department also to acquire 3 specified segments of abandoned right-of-way of the Sacramento Northern Railway in the City of Concord near the San Francisco Bay Area Rapid Transit District passenger station. Inasmuch as this bill would allow an existing appropriation to be expended for a new purpose, this bill would make an appropriation. The bill also would make various technical changes.

This bill would take effect immediately as an urgency statute.

Ch. 1016 (AB 1307) Torres. Pesticide poisoning: physicians and surgeons.

Under existing law, any physician and surgeon who knows, or has reasonable cause to believe, that a patient is suffering from pesticide poisoning or any disease or condition caused by a pesticide is required to promptly report the fact to the local health officer who is required to report to the county agricultural commissioner, the Director of Food and Agriculture, and the Director of Health within 7 days.

This bill would require a physician to make such a report to the local health officer by telephone within 24 hours and by a copy of a report required by the law on occupational safety and health. The bill would require that the local health officer immediately notify the county agricultural commissioner of any report.

This bill would make a physician and surgeon who fails to comply with the pesticide poisoning requirement or reporting requirements with respect to injuries and occupational illness arising out of employment liable for a civil penalty of \$250. The Division of Industrial Relations would enforce such provisions by issuance of citation and notice of civil penalty. The bill would provide for an appeal procedure.

This bill would require the State Department of Health to develop and implement, in cooperation with local health officers and state and local medical associations, a program of medical education with respect to pesticides.

The bill would also provide, with respect to such requirements, that treatment of pesticide poisoning or suspected condition thereof shall not be deemed first aid treatment.

This bill would provide that there would be no appropriation to local agencies for reimbursement of costs imposed on them by the act because of a specified reason.

Ch. 1017 (AB 265) Thurman. Law enforcement: authorized emergency vehicles; U-turns

(1) Existing law specifies the manner in which a U-turn is required to be executed at an intersection controlled by an official traffic control signal exhibiting green alone or "go."

This bill would make the same specification with respect to a U-turn executed at an intersection controlled by such a signal exhibiting a green arrow.

(2) Existing law defines an authorized emergency vehicle for purposes of the Vehicle Code and exempts the driver of such a vehicle from various provisions of the Vehicle Code (for example, from provisions imposing a maximum speed limit on vehicles operated upon the highways), under specified conditions.

This bill would include within the definition of an authorized emergency vehicle any publicly owned vehicle operated by peace officer personnel of the Department of Corrections and housing authority patrol officers, as designated in specified provisions of the Penal Code. The bill would also provide that the driver of an authorized emergency vehicle is exempt from provisions of the Vehicle Code which impose speed limits on the operation of off-highway vehicles and which impose requirements with respect to the turning and starting of such vehicles.

(3) The bill also would make technical, nonsubstantive changes

(4) The bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor any appropriation made by this bill for a specified reason

(5) The bill would take effect immediately as an urgency statute

Ch. 1018 (AB 1044) Torres Workers' compensation. temporary disability indemnity.

Existing law specifies that, in determining average annual earnings for purposes of workers' compensation temporary disability indemnity, the average weekly earnings shall be taken at not less than \$52.50 nor more than \$231

This bill would provide that the average weekly earnings shall be taken at not less than \$73.50 nor more than \$231.

The bill would also provide that there shall be no reimbursement to local agencies and no appropriation made by this act for a specified reason

Ch. 1019 (AB 1047) Alatorre. Labor: discrimination in employment.

Existing law specifically excludes as an employer, for purposes of the California Fair Employment Practice Act, a social club, fraternal, charitable, educational, or religious association or corporation not organized for private profit.

This bill would repeal such exclusions except that the exclusion of a religious association or corporation not organized for private profit would be retained.

Ch 1020 (SB 290) Briggs Insurers: sale of securities

Existing law prohibits an insurer, as defined, from selling any security of its own issue in this state without having obtained a permit from the Insurance Commissioner.

This bill would exempt from this provision admitted insurers, nonadmitted foreign insurers, nonadmitted alien insurers, and an attorney in fact of a reciprocal or interinsurance exchange with respect to the following transactions unless at least 25% of the shareholders to be affected have addresses in this state: (1) any change in the rights, preferences, privileges, or restrictions of or on outstanding securities, as specified; (2) any exchange incident to a merger consolidation, an acquisition of outstanding stock, or a sale of corporate assets in consideration of the issuance of securities of another insurer or corporation. Such insurers would also be exempt from this provision with respect to the following transactions: (1) any stock split or reverse stock split, as specified; (2) any change in the rights of outstanding debt securities, as specified, (3) any negotiations or agreement prior to general solicitation, as specified; or (4) any change in the rights, preferences, privileges, or restrictions of or on certain outstanding shares, as specified.

Ch 1021 (AB 1306) Brown. Mentally disordered persons: detention.

Present provisions of the Lanterman-Petris-Short Act do not specify how a person is to be informed that he is being apprehended and taken to a facility for 72-hour treatment and evaluation

This bill would require that the person be provided orally specified information concerning his detention, including the reason for his detention, his right to make a telephone call or leave a note, and that he will be provided his rights by mental health staff. It would require the evaluation facility to keep a record of each advisement for each patient evaluated. It would further specify additional information to be given to each person admitted for 72-hour evaluation, both orally and in writing and in a language or a modality accessible to the person, and would require a record of this advisement to be kept with the patient's medical record. The bill would, further, require that a patient's specified rights be explained as well as posted in the predominant languages of the community and explained to each patient in a language or modality accessible to the patient.

The bill would require the State Department of Health to prepare and provide the forms required by the bill

This bill would provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill for a specified reason

Ch. 1022 (AB 1103) Priolo. Elections: Republican presidential electors.

(1) Existing law provides for a Republican State Convention.

This bill would repeal such provisions.

(2) Existing law provides for the selection of Republican presidential electors by the Republican State Convention.

This bill would provide instead that the Republican nominees for specified offices, and specified Republican Party officials, shall act as presidential electors, the remainder to be selected by the state central committee chairman, and makes conforming changes.

Ch. 1023 (AB 650) Calvo. Public social services.

Under the current state supplementary program for the aged, blind and disabled, and the Medi-Cal Act, the counties pay a specified yearly share of the cost of such programs. The specified yearly share is adjusted annually by a formula determined pursuant to the county's taxable assessed value of assessed property.

This bill would define what constitutes the "base year," and would provide an alternative method of computation, for such purposes.

The bill would take effect immediately as an urgency statute.

Ch. 1024 (SB 763) Zenovich. Veterans' farms and homes.

Existing provisions of the Veterans' Farm and Home Purchase Acts of 1943 and 1974 authorize the Department of Veterans Affairs to waive the occupancy requirements for up to 4 years for good cause.

This bill would direct the department to waive the occupancy requirement where the State Department of Health determines that health hazards on adjacent property render the property unsuitable for occupancy for as long as such conditions exist.

Ch. 1025 (AB 1685) Vicencia. Governor's Mansion: alternate uses.

Under present law, the Governor's Mansion may be used only for a residence of the Governor.

This bill would instead authorize the Director of General Services to permit the property to be employed for other specified uses during any period when the Governor chooses not to reside there.

Ch. 1026 (SB 539) Beverly. Liability.

(1) Existing law requires medical malpractice insurers to report various statistics to the Insurance Commissioner in annual reports.

This bill would require each insurer transacting insurance, as defined, covering liability for any public entity, where the public entity is the named insured, to annually report specified statistics to the commissioner by type of public entity.

(2) Under existing law, members of advisory boards of the San Francisco Bay Conservation and Development Commission are generally not considered public employees or officers for the purpose of the California Tort Claims Act.

This bill would provide that members of such advisory boards are entitled to the same rights and immunities as public employees for the purposes of the California Tort Claims Act.

(3) Existing law authorizes underwritten title companies to engage in the escrow business and to act as escrow agents provided, among other things, that they obtain and maintain a prescribed fidelity bond.

This bill authorizes the Insurance Commissioner to accept from such companies a cash deposit in lieu of the fidelity bond.

Ch. 1027 (SB 181) Alquist. Public utilities: termination of services.

No provision of existing law requires electrical, gas, heat, or water corporations to provide notice of termination of services for nonpayment of accounts prior to termination.

This bill would require such corporations to give notice by first-class mail of delinquency and impending termination at least 7 days prior to the proposed termination.

No provision of existing law prohibits electrical, gas, heat, or water corporations from terminating service to a dwelling during the pendency of any investigation initiated by a customer.

This bill would prohibit such corporations from terminating service to a residential

dwelling for nonpayment during the pendency of any investigation initiated by the customer.

No provision of existing law requires such a corporation to give a customer who has initiated a complaint an opportunity for review of such complaint by a review manager of the corporation

This bill would require such a corporation to do so, including in such review consideration of whether the customer should be permitted to amortize the unpaid balance over a reasonable period of time This bill would also permit any customer who receives a determination by the corporation which is subject to the jurisdiction of the Public Utilities Commission, which is adverse to him to appeal to the commission.

No provision of existing law prohibits an electrical, gas, heat, or water corporation from terminating services by reason of delinquency in payment during specified times.

This bill would prohibit such a corporation from terminating service for nonpayment on any Saturday, Sunday, legal holiday, or at any time during which the business office of the corporation is not open

The provisions of this bill would also be applicable to any utility owned by a municipal corporation, municipal utility district, or public utility district

This bill would also provide that no appropriation is made by it for costs incurred by local agencies pursuant to its provisions

Ch. 1028 (SB 611) Dunlap Fish and game. use of lights

Under existing law, with prescribed exceptions, it is generally unlawful to use an artificial light to assist in the taking of game birds, game mammals, or game fish or for any person to throw or cast the rays of any spotlight, headlight, or other artificial light on any highway or in any field, woodland, or forest upon any game mammal while having in his possession or under his control any firearm or weapon whereby such mammal could be killed

This bill would make it unlawful to throw or cast such rays in any such location where game mammals, fur-bearing mammals, or nongame mammals are commonly found, or upon any such mammal, while having in his possession or under his control such a weapon The bill would prohibit the arrest of any person for violation of such provisions except by a peace officer

The bill would also exempt from such prohibitions the use of a hand held flashlight, subject to specified conditions, the use of a lamp or lantern which does not cast a directional beam, and the owner, or his employee, of land devoted to the agricultural industry, under specified conditions, and would permit the Fish and Game Commission to authorize by regulation other exemptions, and would make related changes.

The bill would specify that there shall be no reimbursement for any state-mandated local program for a specified reason

Ch 1029 (SB 663) Garamendi. Processors produce dealers license fees: assessments.

Under the existing law, processors are required to pay, to the Director of Food and Agriculture, a license fee of \$165 for each year and persons licensed under the provisions regulating produce dealers to pay a license fee of \$150 for each year. It also requires an agent of any processor and an agent of any person licensed under the provisions regulating produce dealers to pay a fee of \$15

This bill would, instead, require that such yearly license fees be paid pursuant to a designated schedule of annual dollar volume of business, based on the value of the farm products that is returned to the grower or supplier of such products. It would also increase the license fee, from \$15 to \$35, for an agent of a processor and an agent of any person licensed under the provisions regulating produce dealers

This bill would also reduce the fees for persons with volume of less than \$20,000 to \$25 and eliminate second handlers, as defined, doing less than that amount of business and any person applying for a renewal of a license from the requirement a financial statement be furnished when applying for a license.

The bill would require a person operating a business without the required license to pay to the director all the required license fees due for all the business transacted during the period such person operated without such license

The bill would revise the fee for conjunctive licenses, applicable to produce dealers,

by requiring it to be according to a designated schedule on dollar volume of business based on the value of the farm products that is returned to the grower or supplier, and would establish such a conjunctive license for processors with the fee to be based on such designated schedule

This bill would also exclude distributors and handlers licensed under the fluid milk and cream stabilization and marketing provisions who purchase farm products from dealers, brokers, or commission merchants from the provisions regulating such produce dealers, brokers, and merchants.

Ch. 1030 (SB 760) Mills. Emergency public works.

Under present law, the State Public Works Board, in determining whether construction, improvements, and purchasing shall be undertaken, has general authority to consider providing public works to relieve unemployment.

This bill would increase the membership of the board by 1 Member of the Senate, and 1 Member of the Assembly. It would direct the board to develop a contingency plan for emergency public works and submit to the Governor annually in time for inclusion in the Governor's economic report a report on the contingency plan. It would direct the Governor to revise the contingency plan and include a summary of the plan and a statement on it with his annual economic report to the Legislature.

In addition, this bill would require the Director of Employment Development to meet with and advise the board when the board is engaged in specified activities relating to a contingency plan for emergency public works.

Present law requires the Governor to prepare and transmit to the Legislature on or before the 60th calendar day each year an annual economic report. SB 352 would revise these provisions to require the Governor to transmit to the Legislature an economic message on or before each January 20 and would direct the preparation and transmittal of a supplementary message on or before each April 15.

This bill would require the Governor to revise the contingency plan for emergency public works and include a statement on such plan with his annual economic report with the result that the Governor's summary of and statement on such plan would appear in the supplementary economic message transmitted on or before April 15 each year only if both SB 352 and this bill are chaptered and enact these changes and this bill is chaptered after SB 352.

Ch. 1031 (AB 851) Thurman Yosemite Community College District property.

This bill would instruct the Director of General Services to sell, for 50% of current market value, certain property of the Modesto State Hospital facility to the Yosemite Community College District for use as a regional instructional center and related purposes, and would provide for it to revert to the state if the district ceases to use the property for that purpose. It would require the director to reserve all mineral deposits to the state.

Ch. 1032 (AB 1784) Papan. Sanitary waste water reuse.

Existing law requires, as a public policy, that the maximum reuse of waste water in the satisfaction of requirements for the beneficial uses of water is required in this state.

This bill would prohibit the use by public agencies, as defined, of water of quality suitable for potable domestic use for the irrigation of greenbelt areas, as defined, where reclaimed water, as defined in existing law, is found by the State Water Resources Control Board to be available for such use under specified conditions.

The bill would take effect immediately as an urgency statute.

Ch. 1033 (SB 35) Holden. Medi-Cal.

(1) Under current law, clinics and hospitals providing outpatient services are included in the schedule of benefits as providers of Medi-Cal services.

This bill would include a surgical center outpatient facility equipped to support surgical procedures in the schedule of benefits as separate providers of Medi-Cal services.

(2) This bill would make additional changes in Section 14132, Welfare and Institutions Code, proposed by AB 438 and AB 1611, to be operative only if this bill and AB 438 or AB 1611, or both, are chaptered and effective January 1, 1978.

Ch 1034 (AB 1534) Bane Savings and loan associations.

Under specified conditions, an association may make amortized loans upon the security of improved commercial real property, but may not invest in loans, advances of credit and interests secured by commercial real property.

This bill would permit a savings and loan association, subject to the rules and regulations of the Savings and Loan Commissioner, to invest an amount not in excess of 2% of its total assets in loans, advances of credit, and interests therein, secured by commercial real property which are not otherwise authorized. The provisions of this bill would also be in effect until January 1, 1980, and on such date be automatically repealed.

Ch 1035 (AB 1258) Alatorre. Bilingual services state agency compliance.

The existing law requires state agencies meeting specified criteria to employ bilingual persons in public contact positions or as interpreters to assist those in such positions and requires materials explaining services available to be translated into appropriate non-English languages. It also allows the state agency to use discretion in determining when such services are required.

This bill would, instead, require the bilingual person to be employed in the public contact position and eliminate the alternative of employing such person as an interpreter for others in such position. In addition, it would eliminate the state agency determination of when such services are required, and instead set forth specific guidelines for making such a determination.

Existing law requires both state and local agencies furnishing any materials explaining services to have such materials translated into any non-English language spoken by a substantial number of the public served by the agency.

This bill would limit such provisions to local agencies only, and for state agencies would instead require such interpretation when an agency serves a substantial number of non-English-speaking people and provides materials in English explaining services.

Ch 1036 (AB 1693) Keene Medi-Cal prepaid health plans.

(1) Under existing law, the State Department of Health is authorized to contract with prepaid health plans to furnish directly or indirectly health services to beneficiaries of the California Medical Assistance Program (Medi-Cal) on a predetermined periodic rate basis. Federal funds are available to partially fund such contracts if used in conformity with federal law (Medicaid Program).

This bill would make various technical, clarifying, and substantive changes in state law to conform with federal law.

(2) Under existing state law, the State Department of Health pays prepaid health plans in accordance with a prospective per capita rate of payment for services provided to Medi-Cal beneficiaries enrolled in the plans. A prepaid health plan contract is required to provide the specific sums which the state shall pay the plan each month for each beneficiary enrolled in the plan.

This bill would permit the department to pay such a plan for a period not to exceed 1 year on a cost basis up to the fee-for-service maximum for services provided where the plan's operating experience and scale of operation are not sufficient to justify a per capita rate. It would require a contract to provide also a detailed description of the specific actuarial methods and assumptions used in determining per capita rates and a summary of the data base used to determine such rates. It also would provide a procedure for the Director of Health to negotiate alternative per capita rates when changes occur during a contract year which affect the validity of the results of the actuarial methods used in determining such rates.

(3) Under existing law, the State Department of Health may amend a prepaid health plan in accordance with the terms of a merger of a plan with another organization if specified conditions are met, including the condition that the merger will not substantially impair or destroy the opportunity for competition in the proposed service area.

This bill would delete the condition regarding competition.

(4) Under existing law, the Director of Health may terminate the contract of any prepaid health plan for failure to comply with the contract, statutory standards, or regulations or for other good cause.

This bill would permit the director under such circumstances to do any of the following in lieu of contract termination:

- (a) Suspend enrollment and marketing activities.
- (b) Require the contractor to suspend or terminate contractor personnel or subcontractors.
- (c) Impose civil penalties not to exceed \$5,000 per violation.

In the case of any violation of the law relating to enrollment of beneficiaries, the department could require the prepaid health plan to personally contact each enrollee enrolled in violation of the law, explain the nature of the violation, and inform the enrollee of his right to disenroll.

The director would be required to terminate the contract of any prepaid health plan which the Secretary of Health, Education and Welfare has determined does not meet the requirements for participation in the Medicaid Program.

(5) Under existing law, Medi-Cal beneficiaries enroll in a prepaid health plan by voluntarily signing an application. This bill would require the Director of Health to direct the counties to inform Medi-Cal beneficiaries of the various methods for receiving Medi-Cal benefits, if they reside in an area served by a prepaid health plan, and to inquire whether they wish to make a choice. The State Department of Health would be permitted to approve the transfer of enrollees from one plan to another in accordance with the terms of a plan merger or reorganization approved by the department. Such enrollees could disenroll within a specified period after such transfer.

(6) Existing law requires all marketing procedures and materials of a prepaid health plan or marketing organization to be approved by the State Department of Health prior to use.

This bill would authorize the department to require the discontinuance of any marketing procedure or material. It would not permit door-to-door solicitation after December 31, 1978, except as provided by regulation of the Director of Health in a specified manner. It would permit solicitation on state or county property under specified conditions.

(7) Under existing law, enrollment in a prepaid health plan may be terminated at the Medi-Cal beneficiary's request subject to approval by the State Department of Health. Such approval is mandatory under specified circumstances, including the circumstance where the beneficiary has been enrolled for 1 year.

This bill would delete the provision to approve termination where the beneficiary so requests after 1 year of enrollment, but the bill would require such approval where the request has been properly submitted through a grievance procedure approved by the department. The bill would require most requests for disenrollment to be processed through such a procedure.

(8) Under existing state statutory law, there is no requirement that a prepaid health plan be self-managing.

This bill would require all management services, except those for emergency services and unusual or seldom used health care services, to be provided by plan employees. It would require administrative costs to be reasonable and necessary as defined by the Director of Health.

This bill would prohibit a prepaid health plan from entering into subcontracts which would relieve the contractor of his obligation to bear a significant portion of the risk encountered in providing services covered by the plan. The bill would specify reinsurance limits.

(9) Existing law provides that when a prepaid health plan compensates a physician on a fee-for-service basis, the plan shall consider both the customary charge made by the physician and the prevailing charge in the community.

This bill, instead of the above, would provide that a plan may not compensate directors and employees at rates substantially greater than the prevailing charge in the community.

(10) Existing law prohibits the State Department of Health from approving or renewing a prepaid health plan contract if any state officer or employee or his spouse or minor child has a direct financial interest in the plan or in any contract with the plan, or if any state officer or employee provides legal or management services to the plan or receives anything of value for the purpose of influencing or attempting to influence negotiations for approval or renewal.

This bill would also prohibit approval or renewal of a contract where the state officer or employee has a substantial financial interest in the contract itself, in any other

contract with the prepaid health plan, or in the procurement of any contract with the plan, or where subject to specified exceptions he is employed in a management or consultant position by the plan or by a subcontractor within 1 year after termination of state employment. The bill would also prohibit a prepaid health plan from contracting with specified entities not included in the plan's consolidated financial statement, if any specified person connected with the plan has a substantial financial interest in the subcontractor.

The bill would require a plan to file an annual statement disclosing any purchases or leases of services, equipment, supplies or real property by the plan from any entity in which any specified person connected with the plan has a substantial financial interest.

The bill would extend the coverage of the above conflict of interest provisions to United States Senators and Members of Congress from California and to members of the immediate family of persons subject to the provisions.

(11) The bill would also expand the authority of the Director of Health to establish and operate pilot projects in order to develop alternative forms of financing and delivering health care services.

(12) Under the Health Maintenance Organization Development Act, the Director of Health is authorized to make loans and provide technical assistance to health service institutions and organizations, which will stimulate and enable such institutions and organizations to plan, develop, and implement health maintenance organizations for the efficient delivery and provision of health care.

This bill would repeal the act.

This bill would take effect immediately as an urgency statute.

Ch. 1037 (SB 747) Holden. Hereditary disorders.

(1) Under existing law, the State Department of Health carries out programs with respect to sickle cell anemia, cystic fibrosis, hemophilia, and other genetic disorders.

This bill would require the Director of Health to adopt regulations in accordance with legislative findings and specified principles protecting the rights of persons with hereditary disorders and beginning January 1, 1979, to make annual reports to the Governor and the Legislature with respect to hereditary disorders. The bill would require specified state programs to comply with the regulations.

This bill would make a violation of the act or rules and regulations adopted pursuant to the act a misdemeanor.

(2) Under existing law, the State Department of Health or a contracting facility may charge a fee not exceeding \$5 for any tests it performs under specified genetic disease testing programs.

This bill would delete this provision of existing law and, instead, would require the department to charge a fee which is established and periodically adjusted by the Director of Health to meet the costs of the program.

(3) This bill would appropriate \$50,492 from the General Fund to the State Department of Health, for establishing and implementing regulations under the bill.

(4) This bill would authorize the Director of Finance to loan money from the General Fund to the Genetic Disease Testing Fund for a limited time upon the request of the Director of Health.

(5) The bill would provide that there would be no appropriation for reimbursement of any local agency for any costs which may be incurred by it under the act

(6) This bill would take effect immediately as an urgency statute

Ch. 1038 (AB 1163) Chimbole. Vehicles exhaust emission control devices limitations on sale of vehicle by dealer; certificates of noncompliance.

(1) Under existing law, the Department of Motor Vehicles requires, upon initial registration and upon transfer of ownership and registration, of a motor vehicle subject to provisions of the Health and Safety Code relating to motor vehicle air pollution emission standards, a valid certificate of compliance issued by a motor vehicle pollution control device installation and inspection station indicating that the vehicle is properly equipped with an emission control device, or a certificate of noncompliance, as appropriate. In addition, vehicle dealers are required, with each application for initial registration of a new motor vehicle subject to such Health and Safety Code provisions, to transmit to the department such a valid certificate of compliance. However, prior to

January 1, 1977, a vehicle dealer was permitted, with respect to new vehicles having a gross vehicle weight of 6,001 pounds or less to transmit, in lieu of such certificate of compliance, a statement, in the form approved by the Commissioner of the California Highway Patrol, signed by the dealer indicating that the dealer has made no carburetor or ignition adjustment or other alteration or modification of the vehicle's exhaust emission control device or system.

This bill would restore those provisions regarding the above statements permitted to be used by a vehicle dealer with respect to new vehicles certified pursuant to provisions of the Health and Safety Code, except that such statements would be permitted with respect to new vehicles having a gross vehicle weight of 6,000 pounds or less, rather than 6,001 pounds, or less. Further, such statements would be required to be in a form and contain such information as is deemed necessary by the Director of Motor Vehicles and the executive officer of the board and the statements would be required to be signed under penalty of perjury.

(2) Under existing law, licensed installers in licensed motor vehicle pollution control device installation and inspection stations who issue any certificates of noncompliance are required to send copies of any such certificates to the Bureau of Automotive Repair in the Department of Consumer Affairs, and the bureau is required to forward copies of such certificates to the State Air Resources Board.

This bill would require that the installer send such copies directly to the board.

(3) Under existing law, the Director of Consumer Affairs is authorized to charge a fee for certificates of compliance furnished to licensed stations.

This bill would authorize the director also to charge a fee for certificates of noncompliance furnished to such stations. All such fees are required to be deposited in the Automotive Repair Fund which is continuously appropriated for expenses incurred by the Department of Consumer Affairs in administering specified provisions of the Business and Professions Code relating to the regulation of automotive repair dealers; and, therefore, this bill would make an appropriation.

(3) This bill would incorporate additional changes in Section 4000.1 of the Vehicle Code, proposed by Assembly Bill No. 106, to become operative only if this bill and Assembly Bill No. 106 are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last.

(4) This bill would take effect immediately as an urgency statute.

Ch. 1039 (AB 1593) Lockyer. Hazardous wastes.

Under existing law there are provisions for regulating the use, handling and disposal for the control of hazardous wastes.

This bill would substantially revise those provisions as follows:

(1) Provide for the issuance of permits for hauling [registration of haulers] * of hazardous waste.

(2) Require the State Department of Health to promulgate regulations listing hazardous wastes which are economically and technologically feasible to recycle and require the department to recommend methods to promote recycling to the Legislature annually, commencing in January, 1979.

(3) Provide for civil penalties payable into the Hazardous Waste Control Account in the General Fund, which is continuously appropriated for the purpose of regulating hazardous wastes, and criminal penalties for violation of regulations on hazardous wastes.

(4) Provide for the issuance of permits by the state department for facilities for handling, processing, storing and disposal of hazardous waste.

(5) Prohibit the use of nonbiodegradable toxic chemicals in a chemical toilet, vessel, or recreational vehicle after January 1, 1979.

(6) Define and redefine various terms used, such as "business," "disposal," "disposal site," "extremely hazardous waste," "handling," "hazardous waste," "infectious," "person," "processing," "recycle," and "use."

(7) Provide there would be no appropriation for, or reimbursement of, costs incurred by local agencies pursuant to this bill for a specified reason.

Ch 1040 (SB 380) Mills. Property taxation: historic property.

Under existing law, as set forth in Chapter 1442 of the Statutes of 1972, the value of property subject to an historical property contract is presumed to be the value attributable to the uses permitted by such contract

This bill would state that its purpose is to implement Proposition 7 (Res. Ch. 198, Stats 1974) on the ballot for the Primary Election held on Tuesday, June 8, 1976, which amended Section 8 of Article XIII of the Constitution of the State of California to authorize the Legislature to define property of historical significance, to provide for the enforceable restriction of such property, and to require the valuation of such property for property tax purposes only on a basis that is consistent with its restrictions and uses

The bill would provide that such historical property will be valued for property tax assessment purposes by the capitalization of income method pursuant to a specified formula.

The bill would also provide that property subject to such an historical property contract is enforceably restricted within the meaning of the California Constitution.

The bill would also provide that local agencies and owners of qualified historical properties may consult with the State Historical Resources Commission or the State Department of Parks and Recreation for advice and counsel on matters relevant to historical property contracts

The bill would require the Board of Equalization to report to the Legislature, on or before December 31, 1980, on an evaluation of the provisions of the act.

The bill would provide that there shall be no reimbursement to local agencies for a specified reason.

Ch. 1041 (SB 733) Behr. Public schools: school meals for needy pupils: contracts.

Under existing law, on and after July 1, 1977, every school district and county superintendent of schools maintaining kindergarten or any of grades 1 to 12 is required to provide a free or reduced-price meal to each needy pupil each schoolday but those with inadequate or no food preparation facilities, as prescribed, are authorized to contract with specified entities for the preparation and delivery of such meals.

This bill would delete the language limiting to specified entities, the parties with whom such contracts may be made; and would authorize such contracts to provide also for the service of such meals.

This bill would require such school districts, before so contracting, to certify to the Department of Education that no school district in the county nor the county superintendent of schools has facilities and is willing to furnish such services.

This bill would also expand the definition of "child nutrition entity" to include alternative child care programs and any agency which qualifies for specified federal aid

This bill would also provide that no appropriation or reimbursement is made by this act to local agencies or school districts because of specified reasons

Ch. 1042 (SB 1110) D. Carpenter. Alcoholic beverages.

Existing law provides that alcoholic beverages may be brought into this state from without the state for delivery or use within the state only by common carriers and only when the alcoholic beverages are consigned to a licensed importer and only when consigned to the premises of the licensed importer or to a licensed importer or customs broker at the premises of a licensed public warehouse. An exception is made from this provision however, for alcoholic beverages for personal or household use brought into this state by an adult on board a common carrier.

This bill would revise the exception from the licensing restriction to permit alcoholic beverages for personal or household use to be brought into this state by an adult without regard to the mode of transportation of such adult.

This bill would also require the State Board of Equalization to conduct a study of its impact on state revenues from excise and sales taxes and to submit the report to the Governor and the Legislature on or before January 1, 1979

Ch. 1043 (SB 759) Mills. Transportation.

(1) Under the Mills-Alquist-Deddeh Act, the State Controller is required to design and adopt a uniform system of accounts and records by which operators are required to prepare and submit annual reports of their operation to transportation planning agen-

cies. The system is required to be implemented no later than January 1, 1978.

This bill would instead require that such system be implemented no later than July 1, 1978.

(2) Under the act, the transportation planning agencies allocate funds for transportation purposes.

The bill would require the transportation planning agencies, or instead the San Diego Metropolitan Transit Development Board or county transportation commissions where they exist, to annually identify, analyze, and recommend potential productivity improvements which could lower the operating costs of operators. If the agency, board, or commission having jurisdiction determines that an operator has not made a reasonable effort to implement the recommended improvements, the allocation to that operator for the next fiscal year may not exceed its allocation for public transportation purposes for the current fiscal year.

(3) Under the act, the Secretary of the Business and Transportation Agency has adopted a regulation requiring operators to maintain financial records in accordance with a specified accounting system and to submit financial statements and reports at the end of each fiscal year to the transportation planning agencies having jurisdiction over them.

The bill would make each transportation planning agency, the San Diego Metropolitan Transit Development Board, and each county transportation commission responsible for ensuring that all claimants to whom it directs the allocation of funds for public transportation purposes submit an annual certified fiscal year report prepared by an entity other than the claimant to the agency, board, or commission, as the case may be, within 180 days after the end of the fiscal year. The period could be extended up to 90 days by the agency, board, or commission as it would deem necessary.

The transportation planning agency would also be required, each fiscal year, to designate entities other than itself, a county transportation commission, a transit development board, or an operator to make a performance audit of its activities, and those of such commissions and boards located in the area under its jurisdiction, with respect to the act and of each operator to whom it allocates funds. The performance audit would be directed at the efficiency, effectiveness, and economy of the operation of the entity being audited. The transit development board and each commission would be required to designate entities other than itself, a transportation planning agency, or an operator to make such performance audits.

The bill would prohibit any operator from being eligible to receive an allocation under the act until the transmittal of reports of its performance audit to the entity which determines the allocation to the operator, the transportation planning agency, and the secretary for the 3-year period ending 1 year prior to the beginning of the fiscal year of the proposed allocation.

The bill would require the performance audits to be submitted by July 1, 1980, and by July 1 triennially thereafter.

(4) Under the act, a city and county with a population of 700,000 or more on January 1, 1975, is required to use, for capital expenditures, at least 75% of the funds allocated to it for public transportation purposes.

The bill would authorize the city and county to use other funds allocated to it for capital expenditures on public transportation systems to meet this requirement.

(5) Under the act, the funds allocated to an operator may not exceed 50% of its budget after deduction for approved federal grants estimated to be received or 75% during its fifth year of operation or extension of services. The 50% requirement is not applicable to funds allocated to an operator for its first 4 years of operation or extension of services. In the case of a joint powers entity providing public transportation services that was exempted from these limitations and is subsequently dissolved, the succeeding joint powers entity providing such services is entitled to be exempted from these limitations only for that portion of the 5-year period the prior joint powers entity was not so exempted.

This bill would make any entity, and not just a joint powers entity, succeeding the prior joint powers entity providing such services as the prior joint powers entity, so exempt from these limitations.

(6) Under the act, the funds which could have been allocated to an operator, but for the above limitations discussed in (5) above, may be allocated for capital intensive transit-related improvements.

The bill would include the acquisition of vehicles and rolling stock for replacement purposes as such improvements.

(7) Under the act, the State Transportation Board may grant a waiver to any operator in a county with a population of less than 500,000, as determined by the 1970 federal decennial census, for a period of not to exceed 2 years from the 50% requirement and the 75% requirement, upon specified findings regarding the operator.

The bill would specifically authorize the board to grant more than 1 such waiver, but not to exceed 2 years each, and would extend the waiver to apply also to the requirement that there be no reduction in local funding support, except for fares and federal revenue sharing funds, for the operator below the average of such support for the 2 preceding fiscal years. Each successive waiver granted would be required to be conditioned on improvements in goals established by the board for the previous waiver period.

(8) Under the act, the Auditor General, in cooperation with the Legislative Analyst and the Department of Transportation, is required to initiate, not later than July 1, 1979, an evaluation of community transit service programs by considering, among other things, a comparison of operating and maintenance cost per passenger-mile of the various programs and the transportation needs met by the programs.

The bill would instead require the evaluation to be based on other specified criteria.

(9) Under the act, counties and cities eligible to receive funds for local street and road purposes may not, with 1 exception, be allocated funds for a transportation purpose that exceeds 50% of the amount the county or city, as the case may be, requires for that purpose.

The bill would exempt from the 50% requirement any city with a population of less than 5,000.

(10) Under the act, such counties and cities may contract, among others, with private corporations operating under franchises or licenses to provide public transportation services and transportation services for any group requiring special transportation services until July 1, 1980.

The bill would authorize such counties and cities to contract with private entities, rather than only private corporations, operating under franchises or licenses to provide such services.

(11) Under the act, the amount allocated to a city or county to contract for such services as specified in (9) above may not exceed 50% of its proposed expenditure for that purpose.

The bill would authorize an allocation to a city or county to contract for such services to exceed the 50% limitation by an amount equal to the fare revenues received by the entity providing the services and not transferred to the city or county.

(12) Under existing law, the Department of Transportation is required to implement 3-year demonstration projects to encourage ground public transit services along the Sacramento-Stockton-San Francisco and the Los Angeles-San Diego corridors. For each project, the department is required to seek the assistance of an advisory group consisting of representatives appointed by the Secretary of the Business and Transportation Agency from specified entities.

The bill would require that the department seek assistance from such a group for each corridor.

(13) The secretary, with funds made available for such services, is ~~required~~ [authorized] * to undertake a program to provide express bus service between Stockton and the San Leandro station of the San Francisco Bay Area Rapid Transit District.

The bill would ~~require that~~ [authorize] * the express bus service be between Stockton and that portion of the district's system between the district's rapid transit tube and Fremont.

Ch. 1044 (AB 9) Cullen. Alcoholic beverages: miniature bottles.

Existing law prohibits the sale to consumers by off-sale general licensees of distilled spirits in packages containing less than 6 ounces.

This bill would permit sales to consumers by such licensees of liqueurs, as defined, in packages containing 2½ ounces or 75 milliliters.

The bill would provide that such provision shall remain in effect only until January 1, 1980.

Existing law generally prohibits a manufacturer, winegrower, manufacturer's agent,

rectifier, California winegrower's agent, distiller, bottler, importer, or wholesaler, or any officer, director, or agent of any such person or entity from holding the ownership, indirectly or directly, of any interest in any on-sale license.

This bill would permit a manufacturer, rectifier, distiller, winegrower, or bottler of wine who produces and sells wine in any area outside the United States, its territories or possessions and outside of foreign countries having common boundaries with any state of the United States, and who is not licensed in the United States ~~may~~ [to] * have an interest in a person holding an on-sale license, if certain specified conditions are met, for the expressed purpose of encouraging the private sector to create new employment and job training opportunities for low-income persons and to establish business enterprises owned and managed by such persons. It would also require the Department of Alcoholic Beverage Control, after consulting with specified agencies and heads of agencies, to adopt such rules as it determines necessary for the administration of such policy.

Ch. 1045 (AB 1466) Gualco. Powerplants: environmental impact reports.

The California Environmental Quality Act requires environmental impact reports on proposed projects, including powerplant sites and facilities. Also, any site and facility subject to the Warren-Alquist State Energy Resources Conservation and Development Act must be certified, as prescribed, by the State Energy Resources Conservation and Development Commission.

This bill would exempt from the California Environmental Quality Act actions undertaken by a public agency for any powerplant site or facility, including the expenditure, obligation, or encumbrance of funds by a public agency for planning, engineering, or design purposes or for the purchase of equipment, fuel, steam, or power from such a powerplant, if the powerplant site and related facility will be the subject of an environmental impact report or negative declaration prepared by the State Energy Resources Conservation and Development Commission, the Public Utilities Commission, or the city or county in which the powerplant and related facility would be located.

Ch. 1046 (AB 441) Rosenthal. Medi-Cal: recovery of overpayments.

(1) Under the existing Medi-Cal Act, the Director of Health is required to adopt procedures for reviewing grievances or complaints concerning the processing or payment of money alleged by a provider of services to be payable. The Department of Benefit Payments is required to manage and administer the Health Care Deposit Fund, to maintain adequate controls to insure responsibility and accountability for the expenditure of federal and state funds for the Medi-Cal Act, to audit amounts paid for services provided to Medi-Cal beneficiaries, and to recover any amount due, owing and collectible as the result of payments made pursuant to the act.

This bill would require the Director of Health to adopt regulations establishing an administrative appeal process to review grievances or complaints arising from audits made by the Department of Benefit Payments. The bill would permit the entry of summary judgment against a provider of services 90 days after the issuance of the final administrative decision and upon the filing of a specified certificate, and would impose a lien on a provider's real property upon the recording of the judgment with the county recorder. It would prohibit the director from filing such certificate where the provider seeks judicial review of the final administrative decision within 90 days of its issuance, and would require the director to release such lien and would render such summary judgment void where the provider seeks such judicial review after the 90 days. In addition, the procedure described above would not apply to an unincorporated individual practitioner not certified as a prepaid health plan provider, and in such cases the director would be permitted to use any other means available at law to recover amounts due and owing and unpaid from such provider.

The bill would also permit the Director of Health to recover overpayments to a provider of services or prepaid health plan by offset against any amount currently due the provider or plan. The Director of Benefit Payments could recover such overpayments by means of a repayment agreement executed between the director and the provider or plan.

(2) Existing law provides that for the purpose of administering the Medi-Cal Act and the Waxman-Duffy Prepaid Health Plan Act, the Secretary of Health and Welfare shall have the authority necessary to secure approval of a state plan under applicable federal law.

This bill would provide that for such purpose the State Department of Health is designated as the single or appropriate state agency to secure compliance with applicable state and federal laws.

The bill would incorporate additional changes in Section 14105 of the Welfare and Institutions Code proposed by SB 603 and SB 660 and would make them effective if either bill or both bills and this bill are chaptered and become effective on or before January 1, 1978, and this bill is chaptered last.

Ch. 1047 (AB 619) V. Thomas. Schools: courses; first aid.

Current law requires that courses of study at the appropriate elementary and secondary grade levels include, among other things, instruction in personal and public safety and accident prevention.

This bill would require inclusion in such instruction, emergency first aid, as specified. This bill would specify that no reimbursement be made pursuant to Section 2231, Revenue and Taxation Code, and no appropriation by this bill because duties, obligations, or responsibilities imposed by this bill on local governmental entities are such that related costs are incurred as a part of their normal operating procedures.

This bill would incorporate additional changes proposed by AB 1209, to be effective only if this bill and AB 1209 are both enacted.

Ch. 1048 (AB 938) Goggin. Capital cases: investigation funds

Existing law provides for the assignment of counsel in capital cases and for the employment of counsel at public expense if the defendant is unable to employ counsel.

This bill would provide for payment of investigators, experts, and others for the preparation or presentation of the defense of indigent defendants in capital cases.

The bill would appropriate \$1,000,000 from the General Fund to the State Controller for allocation and disbursement to local agencies.

This bill would take effect immediately as an urgency statute, but would be operative only if SB 155 is chaptered.

Ch. 1049 (AB 2038) Fazio. California State Exposition and Fair: purchase of carnival services contract.

Existing law does not provide specifically for the purchase by the Department of Parks and Recreation of outstanding contracts relating to the amusement park and carnival services at the California State Exposition and Fair.

This bill would specifically authorize the department to purchase certain of such outstanding contracts, subject to the review and the approval of the Department of General Services and the Department of Finance.

The bill would also appropriate \$2,375,000, of which amount \$2,325,000 would be available for expenditure by the Department of Parks and Recreation for purchasing such contracts and \$50,000 would be available for expenditure by the Division of Exposition and State Fair in that department for costs resulting from the termination of services provided under such contracts.

The bill would take effect immediately as an urgency statute.

Ch. 1050 (SB 982) Wilson. Municipal courts

Existing law specifies that there shall be 5 municipal court judges in the El Cajon Judicial District in San Diego County.

This bill would increase the number of such judges to 6.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 1051 (SB 1134) Wilson. Courts: El Cajon Municipal Court District

Under existing law municipal courts have original jurisdiction in civil cases, except in family law matters and other specified cases, where the amount in controversy is \$5,000 or less.

This bill would give the El Cajon Municipal Court jurisdiction over such civil cases where the amount in controversy is \$30,000, or less, and would grant such court jurisdiction over matters arising under the Family Law Act, if all parties reside in the El Cajon Judicial District.

Existing law provides that municipal courts have jurisdiction in criminal cases amounting to a misdemeanor, except juvenile court cases and cases where other courts have exclusive jurisdiction

This bill would, in addition, permit the El Cajon Municipal Court to exercise jurisdiction, under certain conditions, over all criminal cases amounting to a felony

The bill would require the court to transfer such matters to the superior court, under certain conditions, upon motion of any party

The bill would specify that its provisions shall be effective until January 1, 1983, and would provide that its provisions are severable

The bill also provides that neither appropriation is made nor obligation created for reimbursement of any local agency for any costs incurred by it pursuant to the act for a specified reason

Ch 1052 (AB 461) Thurman. Contractor license: local permits

Existing law requires each applicant for a city or county building permit, when such a permit is required by the city or county as a condition to the construction or repair of a building, to file with such city or county his contractor license number, or if he is exempt from the Contractors License Law, the basis of his exemption

This bill would make a failure to comply with such requirement subject to a civil penalty of not more than \$500

This bill would provide that there be no appropriation or reimbursement to local government for specified purposes.

Ch. 1053 (SB 848) Mills Vehicles: railroad grade crossings: exemption from stopping requirement

Existing law regulates the operation of the following vehicles with respect to traversing a railroad grade crossing:

- (a) Any bus carrying passengers for hire, transporting employees, or transporting any minors on any organized group outing
- (b) Any motortruck transporting employees in addition to those riding in the cab
- (c) Any schoolbus carrying any schoolchild.
- (d) Any vehicle carrying explosive substances as a cargo or part of a cargo.
- (e) Any tank vehicle.
- (f) Any vehicle transporting more than 120 gallons of flammable liquids or liquefied petroleum gas in containers having a capacity of more than 20 gallons as a cargo or major portion thereof.

Under such existing provisions of law, such vehicles may not traverse a railroad grade crossing without stopping, looking, and listening for any approaching train (or for signals indicating the approach of a train), unless

- (a) Crossing railroad tracks running along and upon the roadway within a business or residence district.
- (b) Crossing where a traffic officer or an official traffic control signal directs traffic to proceed.
- (c) Crossing an industrial or spur track, as defined by the Public Utilities Commission, or a branch line having less than daily train service which crosses a street leading to a public ferry, if a distinctive sign authorized by the commission is displayed.

This bill would delete the exception for crossing such a spur track, while retaining the other two exceptions, and would provide that any such vehicle may also traverse, without stopping, a railroad grade crossing where an exempt sign was authorized by the commission prior to January 1, 1978, or, with respect to any such vehicle, other than a schoolbus or school activity bus, as defined, where an official railroad crossing stop exempt sign has been placed by either the Department of Transportation or a local authority (as to highways under their respective jurisdictions) permitting such crossing. Such signs would be required to be placed in accordance with criteria adopted by the commission, and the Department of Transportation and local agency would be required to consult with the Department of the California Highway Patrol, any railroad corporations involved, and operators involved, and to secure the permission of the commission if a railroad corporation under the jurisdiction of the commission is affected. Prior to granting its permission, the commission would be required to seek the concurrence of the Department of the California Highway Patrol

Ch 1054 (SB 710) Alquist. Ophthalmic devices.

Existing law provides that in promulgating rules and regulations relating to prescription ophthalmic devices, the State Department of Health, the State Board of Optometry and the Board of Medical Quality Assurance shall adopt the 1972 standards of the American National Standards Institute.

This bill would require the department and boards to adopt the current standards of the American National Standards Institute.

Ch 1055 (SB 608) Alquist Physical therapy

Existing law requires the examination for a physical therapist's license to embrace specified subjects

This bill would instead require such examination to reasonably test the applicant's knowledge of physical therapy in areas such as the specified subjects.

Existing law authorizes every graduate of an approved physical therapy school or a physical therapist assistant school who has filed an application for a license with the Physical Therapy Examining Committee to practice as a physical therapist under the immediate supervision of a physical therapist. The law does not allow such person to use any titles indicating he is authorized to practice physical therapy.

This bill would authorize such an applicant who is licensed in another state, district, or territory of the United States to identify himself as a "physical therapist licensee applicant" or a "physical therapist assistant applicant" and would authorize a person earning clinical practice experience to identify himself as a "physical therapy student."

Existing law requires the Physical Therapy Examining Committee to approve each school of physical therapy that proves that it complies with the essentials of an acceptable school of physical therapy promulgated by the Council on Medical Education of the American Medical Association.

This bill would instead require the examining committee to approve such schools if they prove that they comply with the minimum physical therapy educational standards promulgated by the examining committee.

Existing law requires each applicant for approval as a physical therapy assistant to meet specified qualifications including, among other things, passing an examination.

This bill would authorize the issuance of such approval, without written examination, if the applicant meets specified requirements including, among other things, being licensed in another state and a graduate of an approved physical therapy assistant school.

The bill would also delete provisions relating to a person who did not return his certificate or license when the law was revised from registered physical therapists to licensed physical therapists.

Existing law provides that a license issued to a physical therapist may be suspended or revoked on various grounds, including clearly excessive administering of treatment or use of treatment or use of treatment facilities to the detriment of the patient as determined by the customary practice and standards of the local community of licensees.

This bill would delete such ground for the suspension or revocation of a license issued to a physical therapist

Existing law requires the Board of Medical Quality Assurance to keep a record of its proceeding under the Physical Therapy Practice Act and a register of all persons licensed under it.

This bill would transfer such functions to the Physical Therapy Examining Committee.

Ch. 1056 (SB 59) Alquist. Pharmacists.

Under existing law, a licensed pharmacist is not authorized to take a person's blood pressure or to inform the person of the results, render an opinion as to whether the reading is within a high, low or normal range, and advise the person to consult a physician of the person's choice.

This bill would specifically authorize a pharmacist to do so if he or she has received specialized training, would require commonly accepted community standards to be used in rendering opinions and referring patients, and would provide for the enforcement thereof.

Ch. 1057 (SB 420) Garcia Administrative hearings

Under present law administrative hearings are required to be conducted in English, and the proponent of testimony of a witness unable to speak English proficiently shall provide an interpreter, who shall be paid by the agency having jurisdiction over the matter if the hearing officer directs, otherwise by the party providing the interpreter. It also provides that the Office of Administrative Hearings may compile a list of interpreters, and any person so listed shall be deemed approved by the hearing officer.

This bill would revise these provisions so that a party not proficient in English shall be provided, at cost of the agency having jurisdiction over the matter if the hearing officer so directs, an interpreter selected pursuant to regulations of both the State Personnel Board establishing criteria for proficiency and the employing agency with respect to the interpreter's understanding of technical matters and procedures. It would direct, rather than permit, the board to compile and publish a list of interpreters and would require each affected state agency to advise each party of their right to an interpreter.

The bill would specifically make these provisions applicable as well to every state agency which conducts administrative hearings other than pursuant to these provisions.

In addition, this bill would require specified state agencies to provide language assistance, as defined, at adjudicatory hearings, as defined, and would make interpreters subject to the same rules of confidentiality of the agency, if any.

This bill would become operative on July 1, 1978.

Ch. 1058 (SB 371) Ayala. Practice of medicine.

Existing law provides that the renewal fee for persons who hold osteopathic licenses is to be fixed by the Board of Osteopathic Examiners at a sum, as specified, which is not to exceed \$75.

This bill would increase such maximum sum to \$200.

This bill would also make provision for an annual tax and registration fee to be set by the board at a sum not exceeding \$200, and after December 31, 1979, \$75, for those applicants who inform the board in writing that they do not intend to practice under the Osteopathic Act for that period of time covered by the annual tax and registration fee.

Under existing law fees of the Board of Osteopathic Examiners are deposited in the Board of Osteopathic Examiners Contingent Fund which fund is continuously appropriated to the board.

The increased fee provided by this bill would result in an increase in the amount of funds deposited in such continuously appropriated fund.

Ch. 1059 (AB 988) Robinson. Superior court. Alameda and Orange Counties.

Existing law specifies that there shall be 37 judges of the superior court in Orange County, provided that a vacancy for any position in excess of 33 shall not exist until the Orange County Board of Supervisors agrees by resolution to pay local costs in excess of state appropriations for each such position.

This bill would increase the number of superior court judges in Orange County from 37 to 40 and would delete the proviso contained in existing law.

Existing law specifies that there shall be 29 judges of the superior court in Alameda County.

This bill would increase the number of superior court judges in Alameda County from 29 to 30.

The bill would appropriate the sum of \$240,000 to the Controller for allocation and disbursement to Alameda and Orange Counties for costs incurred by them pursuant to this act, pursuant to a specified schedule.

Ch. 1060 (SB 1208) Rodda. Superior courts: Sacramento and Fresno Counties.

Existing law provides that there shall be 10 judges of the Superior Court of Fresno County.

This bill would increase the number of judges from 10 to 12.

Existing law provides for 20 superior court judges in Sacramento County.

This bill would increase the number of superior court judges in Sacramento County to 22.

The bill would appropriate \$240,000 to the Controller for allocation and disbursement to Sacramento and Fresno Counties for costs incurred by them pursuant to this bill according to a specified schedule.

Ch. 1061 (AB 1580) Ellis. Obscenity: minors.

Under existing law, every person who knowingly sends or causes to be sent, or brings or causes to be brought, into this state for sale or distribution, or in this state possesses, prepares, publishes, or prints, with intent to distribute or to exhibit to others, or who offers to distribute, distributes, or exhibits to others, any obscene matter is guilty of a misdemeanor.

This bill would make such conduct for commercial consideration a felony in cases where the obscene matter involved specified sexual acts by a minor. The punishment would be imprisonment for 2, 3, or 4 years in state prison or a \$50,000 fine, unless the defendant is incapable of paying, or by both such fine and imprisonment.

The bill would take effect immediately as an urgency statute.

Ch. 1062 (AB 348) Maddy. Health facilities: accounting and reporting.

(1) Existing law also authorizes the Health Facilities Commission to modify the accounting systems required of health facilities in specified circumstances.

This bill would also allow the commission to modify the reporting systems in the same circumstances.

(2) Under existing law, the executive director of the California Health Facilities Commission is required to have had at least 2 years' experience as the chief administrative officer of a general acute care hospital or a health facility subject to the California Health Facilities Disclosure Act.

This bill would delete the above requirement.

Ch. 1063 (AB 715) Hughes. Postsecondary education: graduate fellowships: Student Aid Commission.

Current law provides for a state competitive graduate fellowship program, which is administered by the Student Aid Commission.

This bill would make various findings and declarations with respect to the program and would appropriate \$300,000 from the General Fund to the Student Aid Commission for the support of the program in the 1977-78 fiscal year.

Ch. 1064 (AB 881) Suitt. Small business loan program.

No provision of existing law provides for a program comparable to that which this bill would create.

This bill would provide for a small business loan program to be under the supervision of the State Banking Department, with the power given to the Superintendent of Banks to make rules and regulations to carry out the duties imposed upon the superintendent by this bill. It would allow the Governor to appoint an executive director to carry out the responsibilities delegated the executive director by the superintendent.

This bill would create a Small Business Loan Reserve Fund, and continuously appropriate such fund for the purposes of the bill. It would provide for the investment of moneys in the fund with lenders participating in the program.

This bill would provide for the certification by the executive director of financial institutions eligible to participate in the program, and for the establishment of eligibility criteria for loans made pursuant to its provisions. It would also allow the superintendent to disqualify lenders, upon specified conditions, from further participation in the program.

This bill would establish a maximum interest rate which may be charged on eligible loans. It would provide for a premium charge, determined by the lender, and collected in equal and matching amounts from the borrower, the lender and the state, to be deposited in the small business loan fund for eligible loans, and provide for the recordation of eligible loans. It would also provide for the premium charge to be accounted for on a lender-by-lender basis.

The bill would provide that upon default by the borrower on any loan made pursuant to its provisions, the lender shall notify the executive director, and the executive director, if requested by the lender, shall pay the lender the amount of the lender's loss out

of the Small Business Loan Reserve Fund, but not to exceed the amount in the fund attributable to the lender who made the loan.

This bill would also appropriate \$3,000,000 † to the Small Business Loan Reserve Fund, with \$2,700,000 †† thereof coming from the General Fund for the state's premium contribution for loans made during the 1977-1978 fiscal year, and \$300,000 † thereof coming from the State Banking Fund for the initial expenses of the State Banking Department in carrying out the duties imposed upon it by this bill.

Ch. 1065 (AB 1612) Chel. Adult day care: matching fund grants.

Present law authorizes the State Department of Health to contract with organizations to conduct experimental programs to provide day care services pursuant to specified provisions of federal law for individuals eligible for specified supplemental medical insurance coverage, with the approval of the Secretary of Health, Education, and Welfare. The director is required to establish a special license category for such adult day care centers. Item 241.3 of the Budget Act of 1977 appropriates \$2,000,000 to the State Department of Health for, among other things, financing startup costs for adult day health service centers.

This bill would allocate \$100,000 of such item of appropriation to make prescribed grants to community organizations for specified expenses incurred in initial operation of adult day health centers licensed pursuant to provisions of AB 1611. The grantee would be required to match the grant, and adult day health centers assisted by the grants would be established primarily to serve prescribed recipients of Medi-Cal benefits.

The bill would not become operative unless AB 1611 is chaptered.

Ch. 1066 (AB 1611) Chel. Adult day health services.

(1) Current law authorizes the Director of Health to conduct by contract experimental programs to provide adult day care services under specified federal laws for persons eligible for Medicare and Medi-Cal and to establish a special licensure classification for such service centers under provisions relating to the licensure of health facilities. Present law also provides for licensure under the California Community Care Facilities Act of "multipurpose senior centers" which provide both medical and nonmedical service, as prescribed, on less than a 24-hour basis to persons 55 years of age or older. The Health and Welfare Agency is required to develop standards and criteria for such centers.

This bill would repeal the above-described provisions of existing law authorizing the Director of Health to conduct experimental programs of adult day care services. The bill would establish a new licensure category of adult day health center, and except with respect to multipurpose senior centers and incidental medical services provided by other types of community care facilities, would prohibit the provision of specialized programs of medical and nonmedical outpatient care for persons over age 55 or specified chronically ill or impaired persons except pursuant to the bill. The bill would provide for licensure by the State Department of Health of freestanding facilities and portions of health facilities as adult day health centers, as prescribed. The bill would restrict eligibility for such licensure to counties, cities, and nonprofit corporations.

The bill would also establish adult day health care as a benefit under the Medi-Cal Act. Certification as a Medi-Cal provider would be a condition of licensure. Adult day health centers would be prohibited from refusing Medi-Cal patients.

This bill would establish and specify the membership composition of an Adult Day Health Care Review Committee in the State Department of Health. The bill would authorize counties to establish adult day health planning councils, which would be required to develop county plans for adult day health care in accordance with guidelines adopted by the state committee. The Director of Health would be required to submit applications for licensure as an adult day health center to the state committee and county council for review and recommendation as prescribed.

(2) This bill would provide that \$1,000,000 of the amount appropriated to the department by Item 241.3 of the Budget Act of 1977 shall be allocated for matching federal funds for adult day health Medi-Cal services and costs of administration under the bill, and would authorize transfer of the portion thereof necessary to fund adult day health Medi-Cal services to Item 248 of the Budget Act of 1977.

(3) The bill would provide that neither appropriation is made nor obligation created

† Appropriation reduced to \$1,100,000 by action of the Governor.

†† Appropriation reduced to \$1,000,000 by action of the Governor.

‡ Appropriation reduced to \$100,000 by action of the Governor.

for the reimbursement of any local agency for any costs incurred by it pursuant to the bill.

(4) This bill would make additional changes in Section 14132, Welfare and Institutions Code, proposed by AB 438 and SB 35, to be operative only if this bill and AB 438 or SB 35, or both, are chaptered and effective January 1, 1978.

Ch. 1067 (SB 429) Alquist. Rail passenger service: state contribution; local funding.

(1) Existing provisions of law authorize the Secretary of the Business and Transportation Agency to allocate funds for projects for the extension of intercity rail passenger services provided by Amtrak pursuant to federal law or the upgrading of other commuter rail services. Except for such projects connecting urbanized areas having populations of more than 500,000, the state's share of the cost of such a project is not permitted to exceed one-half.

This bill would delete the requirement of existing law limiting the state's contribution to one-half. The bill would include findings regarding the necessity of restoring rail passenger service on the routes formerly served by the Del Monte Express and the Suntan Special. Inasmuch as this bill would remove a restriction limiting the expenditure of money available under an existing appropriation, this bill would make an appropriation.

(2) The bill would incorporate additional changes in Section 4 of Chapter 1130 of the Statutes of 1975, proposed by SB 827, which would become operative on the effective date of SB 827 if this bill and SB 827 are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last.

(3) This bill would take effect immediately as an urgency statute.

Ch. 1068 (AB 1885) Suitt. Municipal courts: Imperial County.

Existing law makes provision for clerks, attachés, and employees of the Municipal Court in Imperial County.

This bill would increase the number of various personnel, would repeal various obsolete provisions, and would reorganize various provisions.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local governmental entity or entities which desire authority to act pursuant to the act.

Ch. 1069 (AB 1384) Craven. Public Employees' Retirement System: state safety members.

Existing Public Employees' Retirement Law includes specified teachers and other educational employees of the Adult Authority and the Departments of Corrections and Youth Authority in the state safety category of membership thereby making such persons eligible for greater benefits than state miscellaneous and industrial members of the retirement system. Such provisions are not operative until a ruling by the federal agency terminates the federal social security coverage for all of the listed classifications of employees.

This bill would instead make the state safety membership status contingent upon termination of social security coverage of individual classifications and would transfer such provision to another section of the law and in so doing would make other technical changes in the law. The act would become operative upon receipt of a favorable ruling on termination from the federal agency or April 1, 1978, whichever is later.

This bill would appropriate \$3,920 to the State Controller to pay the costs of implementing the act.

Ch. 1070 (SB 354) Dills. Alcoholic beverages.

The Alcoholic Beverage Control Act defines the term "club" for purposes of club licenses to include various categories of clubs and includes in such categories various requirements restricting the number of members and the period during which such clubs must have been in existence.

This bill would revise such requirements, as specified, to provide that on and after the effective date of this bill no license shall be issued to any club unless such club, has at least 100 members, has been in existence for at least 2 years, and is a nonprofit organization.

It would also provide that no club license be issued to a nonprofit corporation pursuant to a law enacted after January 1, 1978 unless such corporation engages in such volunteer work.

This bill would make conforming changes.

Existing law provides that the holder of a club license may exercise all of the rights and privileges permitted by an on-sale general license. An on-sale general license authorizes the exercise of rights and privileges granted by an off-sale beer and wine license.

This bill would prohibit the holder of a club license from exercising any off-sale privileges.

Ch. 1071 (SB 971) Behr. Public Employees' Retirement System: benefits.

Existing Public Employees' Retirement Law includes specified employees of the Departments of Corrections and Youth Authority within the state safety membership category contingent upon termination of social security coverage by the federal agency for all of the listed classifications of employees.

This bill would instead make the state safety membership status contingent upon termination of social security coverage of an individual classification and would increase the allowances and benefits of any of those specified employees who retire on and after January 1, 1977, on the date that federal agency approval is received.

The bill would permit such employees to elect not to have their allowances and benefits recalculated.

The bill would also permit persons employed in positions found to be eligible for local safety membership by the board or court action to elect not to be included in that category.

The bill would also include such employees within the definition of "policeman" for purposes of social security termination.

Existing Public Employees' Retirement Law permits local safety members credited with less than 20 years of service on the effective date of adoption of increased retirement benefits by their employers which require retirement at age 60 to continue employment, at the option of the employer beyond age 60 until age 65 or until completion of 20 years of service, whichever first occurs.

This bill would extend the benefit of such provision to members in a county of the fifth class, formerly considered to be within the local miscellaneous membership category, who have been reclassified by a court as local safety members.

This bill would, for specified reasons, provide that there shall be no reimbursement or appropriation to local agencies.

The bill would take effect immediately as an urgency statute.

Ch. 1072 (SB 465) Presley. Highway funds: county: snow removal.

(1) Under existing law, specified apportionments are made from the net revenues derived from 1.625¢ per gallon tax under the Motor Vehicle License Tax Law (gas tax) to counties for highway purposes. Up to \$1,500,000 of those revenues may be allocated annually to counties for their reimbursable snow removal costs.

This bill would increase that amount to \$2,000,000 by reducing by \$500,000 annually the amount to be transferred from the Highway Users Tax Account in the Transportation Tax Fund to the State Highway Account in the State Transportation Fund.

(2) Under Article XIX of the California Constitution, the formulas for the allocation of state-imposed highway users tax revenues (i.e., gas tax, diesel tax, registration fees, weight fees, drivers' license fees) may not be revised unless the revised allocation of such revenues would give equal consideration to the transportation needs of all areas of the state and all segments of the population consistent with the orderly achievement of adopted local, regional, and statewide goals for ground transportation in local general plans, regional transportation plans, and the California Transportation Plan.

The provisions of the bill authorizing the increase would be operative only if the California Transportation Plan is adopted and the Legislature by statute finds that the increase meets the above requirements of Article XIX.

The bill would make a legislative finding and declaration that the proposed revision in allocation of the state-imposed highway users tax revenues constitutes an equitable geographic and jurisdictional distribution of such revenues.

Ch 1073 (AB 1569) Ingalls. Peace officers: Southern California Rapid Transit District

Existing law does not specifically authorize the Southern California Rapid Transit District to employ police or other security personnel.

This bill would authorize such district to employ a suitable security force comprised of transit police officers and security guards. The bill would specify the qualifications of the commanding officer of the security force. It would make such transit police officers peace officers. Such officers as peace officers would not come within various provisions of law relating to assault or battery upon a peace officer, the possession of destructive devices or tear gas, and various other provisions of law applying to "policemen" or narrowly defining the term "peace officer" for various purposes.

The bill would require the district and its peace officers to comply with recruitment and training standards established by the Commission on Peace Officer Standards and Training in connection with the appointment of such peace officers, but would not make the district eligible to apply for state reimbursement of the costs of training therefor.

The bill would express the intent of the Legislature to not affect laws relating to employee benefits.

Ch. 1074 (AB 1676) Gage Courts.

Existing law permits the payment of the necessary expenses of a judge, clerk, deputy clerk, and court reporter when such personnel are temporarily assigned to a session of the superior court which requires them to travel to a city other than that to which they are regularly assigned.

This bill would also require the payment of the necessary expenses of secretaries under such circumstances.

Existing law prescribes the salary for various municipal court employees in San Bernardino County but permits the Board of Supervisors of San Bernardino County to increase or decrease the salaries and classifications of such employees, within the range limits of a specified salary schedule, on an interim basis. Such interim changes are only effective until January 1, 1977.

This bill would extend such date until January 1, 1979.

Existing law prescribes the compensation of municipal court personnel in Napa and Solano Counties.

This bill would increase the compensation of such personnel in both counties.

Existing law authorizes the appointment of traffic trial commissioners to serve in municipal courts. Such traffic trial commissioners are appointed by municipal courts with the approval of the Chairman of the Judicial Council or, conversely, by the Chairman of the Judicial Council with approval of the municipal court.

This bill would specify that municipal court traffic trial commissioners serving in Solano County would receive a salary equal to 75% of the salary of a municipal court judge.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desire authority to act pursuant to the act.

This bill would incorporate additional changes in Section 74708, Government Code, proposed by Assembly Bill No. 1807, to be effective only if Assembly Bill No. 1807 and this bill are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last.

The bill would take effect immediately as an urgency statute.

Ch. 1075 (SB 607) Holmdahl Municipal courts: Alameda County

Existing law provides for the number and compensation of municipal court personnel in Alameda County.

This bill reorganizes such provisions and in so doing would change the number and compensation of such court personnel.

Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in certain counties, and to audit and inspect such records, and submit an annual report to the boards of supervisors of the certain counties and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for Alameda County, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Alameda County and the Legislature.

The bill makes certain findings declaring that the subject of the bill requires legislative action affecting Alameda County.

This bill would also make such provisions of the act inseverable.

The bill would provide that no appropriation or reimbursement shall be made because the bill is in accordance with the request of a local government entity which desired legislative authority to act pursuant to the bill.

Ch. 1076 (SB 728) Ehr. Jurors: Marin and Mendocino Counties.

Under existing law, trial jurors in Marin County receive \$5 per day in the performance of their duties.

This bill would retain the existing payment of \$5 per day for the first 15 days of actual service, but would provide for a payment of \$10 per day thereafter.

Existing law provides that trial jurors in Marin County receive \$0.15 for each mile actually traveled one way in the performance of their duties, and grand jurors receive \$0.08 for each mile actually traveled.

This bill would provide that trial jurors and grand jurors receive mileage reimbursement at the same rate specified for county employees.

Under existing law, grand jurors and jurors serving in the superior court in Mendocino County receive \$6 for each day's attendance; justice court jurors receive \$3 for each day's attendance; and all such jurors receive \$0.20 for each mile actually traveled, one way, in the performance of their duties.

This bill would increase such rates for such jurors to \$10 per day for each day's attendance and to \$0.14 for each mile actually traveled both ways in the performance of their duties.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 1077 (SB 1024) Rains. Municipal courts: Ventura County.

Existing law specifies the number of, and compensation for, municipal court personnel in Ventura County.

This bill would increase the number of, and compensation for, specified personnel in such municipal court.

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity or entities which desired authority to act pursuant to the act.

Ch. 1078 (SB 589) D. Carpenter. County offices: consolidation.

Existing law permits various county offices to be consolidated but does not specifically permit the consolidation of two or more offices in order to integrate the delivery of health-related services within the county.

This bill would permit such consolidation in certain counties.

The bill would further provide that the holder of the consolidated office need not possess any of the particular qualifications required of the separate officers, under certain conditions, but that the person exercising the enforcement duties of the county health officer must be a licensed physician and surgeon and such enforcement responsibility is limited to decisions requiring technical medical judgment.

Ch. 1079 (AB 302) Brown. State taxes.

Existing provisions of Inheritance Tax Law impose a tax on transfers of certain property due to death.

This bill would revise the basis of such tax, and would appropriate the money in the Inheritance Tax Fund for certain refunds.

This bill would also impose a generation skipping transfer tax, in an amount equal to the amount allowable as a credit for state legacy taxes under provisions of the Internal Revenue Code.

Existing Personal Income Tax Law and Bank and Corporation Tax Law impose a tax on individuals and certain other taxable entities, based on net taxable income.

This bill would revise the credits and deductions authorized in the calculation of income subject to such taxes

This bill would provide that there shall be no reimbursement for state-mandated local costs nor shall there be an appropriation made by this act for a specified reason.

This bill would take effect immediately as a tax levy.

Ch. 1080 (AB 194) Chimbole. Horseracing.

Existing law provides for 3 members on the California Horse Racing Board.

This bill would raise the membership to 5.

Existing statutory law does not fully specify the duties, powers, and functions of the California Horse Racing Board.

This bill would specify the powers and functions of stewards, specific responsibilities of the board, and legislative intent regarding individual board member qualifications, attendance at board meetings, and legislative recommendations.

Existing law requires the board to locate its general office in a place to be determined by the board. Such office is located in Sacramento

This bill would require the board to locate its general office in Sacramento.

Under existing law stewards are employees of the horseracing associations.

This bill would provide for employment by the board on a contractual basis.

Existing law provides for the distribution of specified amounts of the parimutuel pool at horserace meetings as license fees, purses and commissions.

This bill provides that in addition to such amounts, associations may deduct from the total amount handled in daily double, quinella, exacta and other multiple wagering pools up to 3% thereof to be distributed as commissions and purses in specified amounts.

Ch. 1081 (AB 1512) Fazio. Solar energy and solar devices: thermal systems.

Under existing law, the State Energy Resources Conservation and Development Commission is required to develop and coordinate a program of research and development in alternative sources of energy supply, consumption and conservation and technology of siting facilities. It is required to give priority to those forms of research and development which are of particular importance to the state, including, among other things, expansion and accelerated development of alternative sources of energy, including geothermal and solar resources.

This bill would require the commission to do all of the following also:

(1) To develop and adopt, on or before November 1, 1978, in cooperation with affected industry and consumer representatives, regulations governing equipment associated with the collection, transfer, storage and control of solar energy.

(2) To prepare, no later than December 31, 1978, for the mass market deployment of systems involving the integrated use of building components for the functions of collection, storage, and distribution of solar energy or coolness, by developing designs and specifications for prototype housing to utilize such systems for heating, or heating and cooling purposes.

(3) To develop, on or before December 31, 1979, a manual of design types, costs, performance and evaluation procedures for systems involving the integrated use of building components for the functions of collection, storage, and distribution of solar energy and to also procure thermal performance data from monitoring a number of such existing systems in buildings in California to generate data for the manual.

The bill would also prescribe a procedure for enforcing any violation of any regulation adopted by the commission pursuant to the provisions which would be enacted by the bill.

Ch. 1082 (AB 1558) Hart. Solar energy and antipollution facilities.

Under existing law, the California Pollution Control Financing Authority in specified circumstances has power to issue bonds not exceeding \$200,000,000 in value to finance certain antipollution facilities.

This bill would change such amount to \$160,000,000.

Existing State Personal Income Tax Law and Bank and Corporation Tax Law authorize every taxpayer to elect to deduct from such taxes a credit of an amount equal to the

lesser of 10% of the cost, or \$1,000, of the acquisition cost of any solar energy device on premises owned and controlled by the taxpayer at the time of such installation, for the taxable year or the income year of installation of such device, in lieu of any other deduction to which such taxpayer may be entitled until January 1, 1981.

This bill would increase the credit to a specified percentage or amount of the acquisition cost of a solar energy system, including certain energy conservation measures in conjunction with the system, would allow unused portions of the credit to be carried forward to certain future years until used, and would eliminate the requirement that the original use of such system commence with the taxpayer.

The bill would also require the Energy Resources Conservation and Development Commission to establish guidelines and criteria for solar energy systems eligible for the credit.

This bill would remain in effect only until January 1, 1981 and would require the Franchise Tax Board to make a report concerning the bill's effect.

Ch. 1083 (AB 106) Eane. Air pollution: oxides of nitrogen emissions devices exemption.

Under existing law, with specified exceptions, all 1966 through 1970 model year motor vehicles having a manufacturer's gross vehicle weight rating of under 6,001 pounds are required to be equipped with a certified oxides of nitrogen exhaust emission control device upon initial registration and upon transfer of ownership and registration.

This bill would provide that the installation of such a device would not be required on such a vehicle if the registered owner is an elderly low-income person and the vehicle was purchased from a person other than a dealer or a person holding a retail seller's permit. "Elderly low-income person" is defined, under law that took effect on January 1, 1977, as an individual over 62 years of age residing in a household wherein the combined adjusted gross income, as defined, of all members of the household is less than \$7,500 for the previous calendar year.

This bill would incorporate additional changes in Section 40001 of the Vehicle Code, proposed by Assembly Bill No. 1163, to become operative only if this bill and Assembly Bill No. 1163 are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last.

This bill would take effect immediately as an urgency statute.

Ch. 1084 (AB 247) Berman. Public educational employment employee organization representation.

(1) Existing law requires an employee organization, when filing a request with a public school employer alleging majority support of the employees and asking the public school employer to recognize it as the exclusive representative, to include proof of majority support with the request to the public school employer.

This bill would instead require such an employee organization to submit proof of majority support to the Educational Employment Relations Board, and would require the board to keep such proof confidential, to obtain from the employer information necessary to carry out its responsibilities, and to report to the employee organization and the public school employer as to the adequacy of the proof.

(2) Existing law requires the public school employer to grant a request for recognition unless, among other things, another employee organization files a competing claim of representation with the employer, evidenced by dues deductions authorizations or other evidence that employees desire to be represented by the organization.

This bill would, in addition, require such evidence to be submitted to the board, and would require the board to keep such evidence confidential, to obtain from the employer information necessary to carry out its responsibilities, and report to the employee organizations and the public school employer as to the adequacy of the evidence.

(3) Existing law permits a petition to be filed with the board requesting it to investigate and decide the question of exclusive representation or appropriateness of a unit by, among others, an employee organization alleging that employees no longer desire a particular employee organization as their exclusive representative, provided the petition is supported by evidence that 30 percent of the employees support the petition.

This bill would, in addition, require such evidence of support to be submitted to the board, and would require the board to keep such evidence confidential, to obtain from

the employer information necessary to carry out its responsibilities, and report to the employee organizations and to the public school employer as to the adequacy of the evidence of support

Ch. 1085 (AB 288) Chimbole. Paramedics.

The Wedworth-Townsend Paramedic Act will remain in effect only until December 31, 1977.

This bill would extend the effectiveness of such act until December 31, 1979.

This bill would provide that no appropriation is made for the reimbursement of any local agency for costs incurred by it pursuant to the bill for a specified reason.

Ch. 1085 (AB 385) Brown. Birth records: revision for sex change.

Nothing in present law authorizes revision of birth certificates to reflect surgically accomplished changes of sex, although a birth certificate may be amended to reflect a court-ordered change of name.

This bill would authorize a procedure for establishment of a new birth certificate for a person who has had his or her sexual characteristics altered surgically to those of the opposite sex. Any person desiring establishment of a new birth certificate under the bill would be required to petition the superior court of his or her county of residence, as prescribed. Such a petition would be consolidated with a petition for change of name. With respect to any petition granted under the bill, the State Registrar would be required to establish a new birth certificate indicating the change in gender and name, if applicable. The bill would prescribe a \$5 fee for the State Registrar's services in establishing the new birth certificate.

After establishment of a new birth record under the bill, the original birth certificate would be sealed and would be available only upon written request of the registrant or upon order of a court of record. The bill would provide for conforming of local records, which would be subject to the same limitations respecting disclosure.

The bill would require the State Registrar to transmit a copy of any birth certificate newly established under the bill to the applicant without additional charge.

This bill would provide that no appropriation is made by the bill for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason.

Ch. 1087 (AB 749) Boatwright. Counties: legal services.

Existing law requires the board of supervisors to direct and control the prosecution and defense of all suits to which the county is a party.

This bill would also require the board of supervisors to direct and control the conduct of litigation involving any public entity of which the board is the governing body. The bill would permit the board to authorize county officials, who are not attorneys, to initiate and conduct litigation in small claims court on behalf of the county.

Existing law authorizes the board of supervisors to employ private counsel to assist the district attorney, or county counsel in those counties which have such an officer, in conducting litigation.

This bill would, in addition, permit the board of supervisors to employ private counsel to assist the attorney of any public entity of which the board is the governing body in conducting litigation.

This bill would also provide that neither appropriation is made nor obligation created for reimbursement of any local agency because there are no new duties, obligations, or responsibilities imposed on local government by the bill.

Ch. 1088 (SB 276) Garcia. Aliens: guilty pleas.

Nothing in present law requires a court, prior to accepting a guilty plea, to advise the defendant concerning the possibility that such a conviction could result in deportation for a lawful resident alien.

The bill would require the court, prior to accepting a guilty or nolo contendere plea to a felony or misdemeanor, to advise the defendant that deportation, exclusion from admission to the United States, or denial of naturalization may result from conviction. The court would then be required to permit the defendant additional time to reconsider the plea, if requested. If the court fails to so advise the defendant and the defendant

shows that conviction of the offense to which he pleaded guilty or nolo contendere may have the consequence for the defendant of deportation, exclusion, or denial of naturalization, the court, on defendant's motion, would be required to vacate the judgment and permit the defendant to withdraw the plea of guilty or nolo contendere and enter a plea of not guilty. Absent a record that the court provided the advisement, the bill would provide that the defendant must be presumed not to have received the advisement.

The bill would declare the legislative intent that failure to give the advisement not affect pleas accepted prior to January 1, 1978, and that the bill shall be null and void if the applicable federal laws are repealed.

Ch. 1089 (SB 1240) D. Carpenter. Public Employees' Retirement System: investments.

Existing Public Employees' Retirement Law provides that the system cannot acquire property or improvements thereon for the state unless authorized by a separate act or appropriation by the Legislature.

This bill would authorize the board of administration to purchase real property and to construct, remodel, and equip an office building in Sacramento County for the use of state retirement systems, other state departments, boards and agencies, or appropriate private commercial activities, and would establish a building account for the transfer of moneys which is continuously appropriated for such purpose from the Public Employees' Retirement Fund.

This bill would provide that the board of administration, in the event of condemnation, may elect to deposit funds with the State Treasury subject to the Property Acquisition Law and provides that on all projects the board shall follow the bidding procedure requirements of the State Contract Act.

The bill would take effect immediately as an urgency statute.

Ch 1090 (SB 179) B. Greene Schools: employees; affirmative action.

Existing state and federal law prohibits discrimination in employment. Also, the State Board of Education has adopted regulations requiring each public education agency to develop and implement an affirmative action employment program for both certificated and classified school employees no later than January 1, 1976.

This bill would require each local public education agency, as defined, and the Department of Education to establish and execute an affirmative action employment program, as defined, for school employees. The manner of adoption of such programs and attributes thereof are provided for.

This bill would require the State Board of Education to adopt rules and regulations pertaining to affirmative action employment programs for school employees.

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by this bill for a specified reason.

Ch. 1091 (SB 266) Campbell. Public Utilities Commission: expedited procedure for hearing complaints

Under existing law, there is no special procedure to be followed by the Public Utilities Commission in entertaining complaints against public utilities involving small sums of money.

This bill would establish a special procedure for hearing certain complaints against any electrical, gas, water, heat, or telephone company brought before the commission involving \$750 or less. The commission or presiding officer would be authorized to terminate such a proceeding and recalendar the matter for hearing under the commission's regular procedure. Decisions rendered pursuant to the bill's provisions would not be precedent or binding on the commission or the courts.

Under existing law, orders of the Public Utilities Commission take effect 20 days after service. If the commission fixes a date earlier than the 20th day as the effective date, a person or corporation must file a petition for rehearing before the 10th day after issuance of an order authorizing the issuance of securities.

This bill would specify the types of securities subject to the 10-day limitation. It would also include transfers and encumbrances of designated utility property within such limitation.

The bill would make related changes.

Ch 1092 (SB 343) Wilson Alcoholic beverages.

Existing law authorizes the Department of Alcoholic Beverage Control to conduct a drawing to determine the priority in which applicants for the issuance or transfer of an alcoholic beverage license are considered in the event that there are more applicants for the particular type of license than there are licenses available for issuance or transfer.

This bill would provide that no person shall be qualified to participate in such a drawing unless such applicant is a California resident at least for 90 days prior to the drawing. The bill would require an applicant for such license to present proof of such residency prior to the issuance of a license. The bill would provide that a corporation incorporated in a state other than California, but registered with the Secretary of State to do business in California for 90 days, would satisfy the residency requirement.

This bill would require the department to advertise that such a drawing is available only to such residents.

Ch. 1093 (SB 364) Campbell. Tear gas weapons: mace.

Existing law allows, on and after July 1, 1977, the purchase of specified tear gas and tear gas weapons for personal use solely for self-defense and training purposes to qualified persons. The possession of a permit issued by a police chief or sheriff is required to purchase such tear gas and tear gas weapons. The police chief or sheriff is required to issue a permit to a person who has completed a course in the use of tear gas and tear gas weapons certified by the Department of Justice, who is not a minor and who has not been convicted of a felony. Existing law also provides for issuance of licenses to sell tear gas, and tear gas weapons but prescribes no fee therefor.

This bill would require the issuance of a permit for the purchase of tear gas and tear gas weapons to a person who has completed such training and is not a minor, felon, or a narcotic addict, and has not been convicted of misuse of tear gas or of any crime involving assault.

The bill would limit the valid period of such permits to 7 years, unless revoked, authorize the Attorney General to adopt specified rules and regulations relating thereto, and authorize a fee for issuance of licenses to sell tear gas.

The bill would take effect immediately as an urgency statute, to become operative July 1, 1977, or on the effective date of the bill, whichever is later.

Ch. 1094 (SB 812) Dunlap. Veterans: farm and home purchases.

Existing provisions of the Veterans' Farm and Home Purchase Act of 1974 provide that the rate of interest on a veteran's farm and home purchase contract does not apply to assignees of purchasers who are not veterans, and regulations of the Department of Veterans Affairs require the former spouse of a veteran who continues to occupy the property after marriage dissolution or legal separation to pay an increased rate of interest.

This bill would instead allow the department to make an assignment to the nonveteran former spouse at the same rate of interest and conditions as are provided to veteran purchasers if there are one or more dependent children of the veteran, as defined, occupying the property and if the former spouse actually resides in the home and continues to make the same payments required by the purchase contract.

Existing provisions of the Veterans' Farm and Home Purchase Act of 1943 provide that upon the dissolution of marriage or legal separation of a veteran contract purchaser and the veteran's spouse, where the veteran's entire beneficial interest is transferred to the spouse and provided certain conditions are met, the Department of Veterans Affairs shall recognize the nonveteran spouse as the sole purchaser.

This bill would additionally provide that, under specified conditions, an assignment may be made by the department in favor of the nonveteran spouse at the same rate of interest and conditions as are provided to veteran purchasers.

This bill states the Legislature's intent with respect to the above provisions.

Ch. 1095 (SB 883) Holden. The Political Reform Act of 1974.

(1) Existing law contained in the Political Reform Act of 1974 requires the statement of organization which must be filed by certain committees to contain specified information as to each candidate and each measure which the committee supports or opposes.

This bill would specify that such information be supplied for any candidate or measure

so supported or opposed as the committee's primary activity.

In addition this bill would require a committee which does not support or oppose one or more candidates or ballot measures as its primary activity to supply specified information relating to its activities.

(2) Existing law imposes certain filing requirements upon certain candidates for federal office.

This bill would, instead, require the California Secretary of State to send campaign statements received pursuant to the Federal Election Campaign Act to specified officers.

(3) Existing law contains provisions limiting expenditures with respect to statewide candidates, circulation of statewide petitions and statewide measures. Certain of such provisions have been held to be unconstitutional by the courts.

This bill would repeal the provisions of the Political Reform Act of 1974 relating to limitations on expenditures.

This bill would provide that no other appropriation is made nor obligation created for the reimbursement of any local agency or school district for any costs incurred by it pursuant to this bill.

Ch. 1096 (SB 1049) Vuich. Bees.

Under existing law, there are various provisions relating to the application of pesticides and to the bee industry. There are no existing provisions of statutory law which specifically control the application of pesticides and which relate specifically to bees.

This bill would require the Director of Food and Agriculture to adopt regulations deemed necessary to minimize the effect of pesticides on bees, while providing for the reasonable and necessary use of pesticides. Specified regulations would be required to be adopted before other specified regulations could be adopted. The bill would also make violation of such regulations or of the provisions of law relating to registration and identification of apiaries subject to a civil penalty, and would provide that existing provisions of law providing for enforcement by citation are specifically applicable to the enforcement of specified provisions of law relating to apiaries.

This bill would take effect immediately as an urgency statute.

Ch. 1097 (SB 967) Smith. Immunizations. medical care for reactions.

Under existing law, there is no state program which provides for medical or institutional care or indemnification expressly for children who suffer an adverse reaction to a required immunization. Also, nothing in present law exempts physicians and surgeons from liability for damages caused by negligent acts or omissions in the administration of immunizing agents, except with respect to prescribed participation in the National Influenza Program of 1976.

This bill would require the State Department of Health to reimburse the medical expenses incurred for a child under the age of 18 as a result of a severe reaction to a state-required immunization, as specified. Such reimbursement would not exceed \$25,000, would be made without regard to ability to pay, and would be made without requirement of repayment.

This bill would subrogate the state to the rights of the person receiving reimbursement for medical expenses to the extent of any reimbursement provided.

The bill would exempt a person from liability for injury caused by acts or omissions, not constituting gross negligence or willful misconduct, in connection with the administration of an immunization required by state law.

This bill would appropriate \$50,000 to the Immunization Adverse Reaction Fund, a continuously appropriated fund created by the bill, to carry out the provisions of the bill requiring indemnification for medical expenses.

Ch 1098 (SB 827) Mills. Transportation

(1) Under existing law, the Secretary of the Business and Transportation Agency is authorized to undertake a program to provide express bus services between Stockton and the San Leandro station of the San Francisco Bay Area Rapid Transit District.

This bill, instead, would authorize the express bus service to be between Stockton and a district station selected by the secretary and the district or between Stockton and Sacramento.

(2) The secretary is authorized to undertake the construction of intermodal transfer facilities located in communities between Stockton and communities in the San Francisco Bay area

The bill also would authorize the secretary to undertake the construction of such facilities between Stockton and Sacramento

(3) Under existing law, the Department of Transportation submitted to the Legislature, in 1976, a priority list of abandoned railroad lines having rights-of-way that may be developed for public transportation uses.

The bill would require the department to submit to the Legislature a revised priority list by July 1, 1978, and by July 1st of each year thereafter.

(4) Under existing law, the department is required to consider, in preparing the priority list, the studies conducted by the State Transportation Board on abandoned railroad rights-of-way.

The bill would require the department also to consider the State Rail Plan, if Senate Bill No 416 of the 1977-78 Regular Session of the Legislature is enacted.

(5) In preparing the priority list, the department adopted criteria to determine the priority of various abandoned railroad rights-of-way

The bill would authorize the department to consider contributions by local agencies toward the purchase of such rights-of-way in ranking them on the priority list.

(6) Under existing law, the department is required to acquire abandoned railroad rights-of-way.

The bill, instead, would authorize the department to acquire such rights-of-way included in the priority list. The department would be required to acquire, with specified exceptions, the rights-of-way in sequence as listed in the priority list.

(7) Under existing law, the public entity developing for transit purposes abandoned railroad rights-of-way acquired by the department is required to repay the department for its cost of acquisition

The bill would delete the requirement for repayment under the above circumstances.

(8) Under existing law, for the 1976-77 to 1978-79 fiscal years, inclusive, \$3,000,000 is available to the department to extend intercity passenger rail services provided by the National Rail Passenger Corporation or the upgrading of other commuter rail services.

The bill would authorize such funds to be expended to provide feeder services to such rail services

(9) Under existing law, the increase in the state sales and use tax revenues with the taxes imposed at a rate of 3% and on motor vehicle fuel over the revenues with the taxes imposed at a rate of 4% but not on motor vehicle fuel is deposited in the Transportation Planning and Research Account in the State Transportation Fund and is available, upon appropriation by the Legislature, for allocation by the Secretary of the Business and Transportation Agency for various specified transportation purposes.

The bill would appropriate, without regard to fiscal years, \$5,000,000 from the account as follows:

(a) \$3,000,000 for transfer to the Abandoned Railroad Account in the State Transportation Fund for the acquisition by the Department of Transportation of abandoned railroad rights-of-way for public transportation uses.

(b) \$1,500,000 to the secretary for allocation to the department for the extension and upgrading of passenger rail service.

(c) \$500,000 to the San Francisco Bay Area Transportation Terminal Authority for planning and feasibility studies in connection with a regional transit terminal in the City and County of San Francisco.

(10) The bill would incorporate additional changes in Section 4 of Chapter 1130 of the Statutes of 1975, proposed by SB 429, if this bill and SB 429 are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last.

Ch 1099 (SB 884) Rodda State officers' salaries

Under the Statutory Salary Equalization Plan, the annual salary of the Lieutenant Governor, Secretary of State, State Controller, State Treasurer, and Superintendent of Public Instruction is \$35,000, that of the Chairman of the Board of Equalization is \$26,250, and that of each member of the Board of Equalization is \$25,000. The salary of the Attorney General is \$42,500.

This bill would increase these salaries, as follows.

(1) Effective January 1, 1979, the salary of the Lieutenant Governor, Secretary of State, State Controller, State Treasurer, and Superintendent of Public Instruction would become \$42,500.

(2) The salary of the Chairman of the Board of Equalization would become \$38,500, and members of the Board of Equalization would become \$38,000.

(3) Effective January 1, 1979, the salary of the Attorney General would become \$47,500.

It would provide that the salaries of the Governor, Lieutenant Governor, State Treasurer, Superintendent of Public Instruction, and Attorney General could also be augmented by the increase in the cost-of-living, but not in excess of 5% per year, unless waived. It would further provide that this provision shall remain in effect only until January 1, 1983, and as of such date would be repealed.

This bill would incorporate certain changes in Sections 11555 and 11556 of the Government Code enacted by Chapter 165 of the Statutes of 1977, and would also make additional changes to Section 11556 proposed by SB 400 to be operative only if both SB 400 and this bill are chaptered and this bill is chaptered after SB 400

Ch 1100 (SB 1034) Vuich Income and bank and corporation tax credit agricultural irrigation equipment.

Existing state personal income tax and bank and corporation tax laws authorize a taxpayer to deduct from gross income a reasonable allowance for the depreciation of any water application or distribution equipment which is placed in service by such taxpayer, if such equipment is used in a trade or business or in the production of income

This bill would, in addition to any deduction to which a taxpayer may be entitled, authorize every taxpayer meeting specified income requirements to elect to deduct from such taxes a credit of an amount equal to the lesser of 10% of the cost, or \$500, of the acquisition cost of such equipment which results in improvement of agricultural irrigation efficiency through the reduction of water usage from the installation of specified systems on agricultural land cultivated and irrigated during any growing season during the 1971 to 1976 calendar years and owned and controlled by the taxpayer, payment for which is made by the taxpayer during the taxable year or the income year

This bill would take effect immediately as a tax levy, but its operative effect would depend upon the time at which it becomes effective. Additionally, the provisions of the bill would be effective only with respect to taxable and income years ending on or before December 31, 1980, and would then be repealed

Ch. 1101 (SB 344) D. Carpenter. Water projects: legal actions

Under existing law, a district may apply to the State Treasurer for certification of district bonds in accordance with specified procedures

This bill would require, where an improvement district of any district, prior to January 1, 1972, sold bonds for sewer purposes and such bonds were approved, as specified, by the State Treasurer for a purpose consistent with previously existing industrial or commercial plans or zoning ordinances, that lands, within such improvement district and zoned for industrial or commercial uses, shall be deemed committed to such uses.

The bill would prohibit legal action brought subsequently to such sale and approval seek, as a remedy, the invalidation of local plans, zoning, approvals of subsequent development, or the provision of infrastructure as each applies to such lands. The bill would prohibit the maintenance of such litigation or the judgment therein from preventing the legislative body of the city, county, or district from taking specified actions. The bill would provide that judgment in any such action would not prevent the authorization and sale of any bonds in an improvement district in the territory of which improvement district sewer bonds were sold prior to January 1, 1972. The bill would be expressly applicable to pending litigation, as specified.

Ch. 1102 (SB 573) Song. State Public Defender employees

Present law provides that all civil service examinations for attorney positions in the office of the State Public Defender shall be on an open basis.

This bill would provide, instead, that examinations for entry level positions only are required to be on an open basis, and examinations for nonentry level positions may be on an open basis or a promotional basis as determined appropriate by the State

Personnel Board in consultation with the State Public Defender This bill would also require the Legislative Analyst to review the effect of this bill as specified and to report to the Legislature by March 1, 1979 This bill would provide that its provisions shall remain in effect only until January 1, 1980, unless extended by the Legislature

Ch. 1103 (AB 965) Montoya. Youth and family projects

Existing law authorizes public or private organizations to make application to the Department of the Youth Authority for the purpose of receiving funding for the establishment or operation or both of one or more youth service bureaus.

This bill would delineate a procedure whereby the Office of Criminal Justice Planning would administer the establishment of joint funded multiservice youth and family programs—i.e., the establishment of designated programs involving federal funds presently administered through two or more state agencies.

It would require an annual report evaluating the functioning of such coordination of projects

The provisions authorizing such coordination would automatically be repealed January 1, 1983

The bill would also appropriate \$62,500 † from the General Fund to the Office of Criminal Justice Planning for the above purposes for the fiscal year 1977-78.

Ch 1104 (SB 200) Presley. Peace officers willful disregard of signal with intent to evade, unlawful flight by motor vehicle operator.

Under existing law, it is a misdemeanor to willfully fail or refuse to comply with any lawful order, signal, or direction of any traffic officer

This bill would make it a misdemeanor for any person operating a motor vehicle, who hears a siren and sees at least one lamp exhibiting a red light emanating from a vehicle painted a distinctive color, distinctively marked, and operated by a member of the California Highway Patrol or any peace officer of a sheriff's or city police department wearing a complete, distinctive peace officer's uniform and an appropriate badge, to, with the intent to evade the officer, willfully disregard such siren and light and to flee or otherwise attempt to elude a pursuing peace officer's motor vehicle.

The bill would make related, conforming changes

The bill would also provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code and no appropriation made by the bill for a specified reason.

Ch 1105 (AB 142) Chimbole Community care facilities

Under the current provisions for licensing community care facilities, certain facilities are exempt from licensure

This bill would also exempt from such licensure, until January 1, 1983, facilities which are conducted by a nonprofit corporation sponsored by well-recognized churches and religious denominations and which provide moral and spiritual guidance along with room, board, and care exclusively to persons aged 16-19 placed there as prescribed and which receive no government grants Facilities desiring such exemption would be required to make application therefor to the State Department of Health and would be required to meet all state and local sanitation standards and standards pertaining to fire and life safety

Ch 1106 (AB 402) Ingalls Transportation

(1) This bill would enact the "Alquist-Ingalls Act "

(2) Under existing law, funds (with minor exceptions) in the State Highway Account in the State Transportation Fund are continuously appropriated for allocation by the California Highway Commission for expenditure, in general, by the Department of Transportation (hereafter referred to as the department) for state highway purposes, except that, for the 1977-78 fiscal year, only that amount of funds in the account appropriated by the Budget Act of 1977 is available for allocation by the commission.

The bill would require, commencing with the budget for the 1978-79 fiscal year, the department to submit to the Governor its proposed budget with respect to that portion of the budget that is to be funded from the State Highway Account.

Other than funds derived from federal sources or from appropriations to other state

† Appropriation reduced to \$30,000 by action of the Governor

agencies, or deposited in the account by local agencies or others, the funds in the account would not be available for expenditure until appropriated by the Legislature or made available by the Department of Finance pursuant to a specified statute.

(3) Under existing law, 40% of the funds available for state highway construction are allocated for expenditure in County Group No. 1 and 60% in County Group No. 2, the so-called north-south split. Seventy percent of the allocation in each county group is required to be allocated among the state highway districts in the county group on the basis of existing state highway construction needs therein. In addition, during each 4-year period, a county minimum of at least \$4,000,000 is required to be allocated for expenditure in each county (\$3,000,000 each in the case of Alpine and Sierra Counties).

Under Article XIX of the California Constitution, the formulas for the allocation of state-imposed highway users tax revenues (i.e., gas tax, diesel tax, registration fees, weight fees, drivers' license fees) may not be revised unless the revised allocation of such revenues would give equal consideration to the transportation needs of all areas of the state and all segments of the population consistent with the orderly achievement of adopted local, regional, and statewide goals for ground transportation in local general plans, regional transportation plans, and the California Transportation Plan.

The bill would abolish, on July 1, 1979, the county minimum if the California Transportation Plan is adopted and the California Transportation Commission (see (5) below) makes a specified finding.

(4) Pursuant to existing law, the department submitted to the Legislature the percentage allocation of state highway construction funds for each state highway district for the 4-year period commencing July 1, 1979.

The bill would redesignate the state highway districts as state transportation ~~commissions~~ [districts] * and, if the California Transportation Commission (see (5) below) makes a specified finding, continue to apply during the 4-year period commencing July 1, 1979, the state highway districts percentages for the present 4-year period ending June 30, 1979.

(5) Under existing law, there is the State Transportation Board to advise and assist the Secretary of the Business and Transportation Agency and the Legislature in formulating and evaluating state transportation policy and plans and there is, in the board, the State Transportation Board Office. There is also the State Aeronautics Board to advise the Director of Transportation in all matters relating to aeronautics within the state, the California Highway Commission with broad powers in allocating funds for state highway purposes and in adopting state highway routes, and the California Toll Bridge Authority with broad powers in adopting policies for state-owned toll bridges.

The bill would abolish the above entities and transfer their duties, powers, purposes, responsibilities, and jurisdiction to the California Transportation Commission (hereafter referred to as the commission), which the bill would create on February 1, 1978.

(6) Under existing law, the department is required to prepare the California Transportation Plan and submit it to the State Transportation Board for adoption and transmittal to the Legislature by January 1, 1976. The initial plan, and its updated versions, may not be adopted until the board finds that it is in conformance with the legislative declaration of statewide transportation goals, objectives, and policies.

The bill would require the commission to adopt and submit a report to the Legislature by December 31, 1978, and by December 31st biennially thereafter. The report would constitute the California Transportation Plan. There is no requirement as to conformance with the above specified legislative declaration.

(7) Under existing law, there is no state transportation improvement program.

The bill would require the commission to adopt and submit to the Legislature and the Governor, not later than July 1, 1979, and each July 1 thereafter, such a 5-year program of specified content.

(8) Under existing law, designated transportation planning agencies are required to submit regional transportation plans, and the biennial updating thereof, to the department.

The bill would require those agencies to also submit such plans and their biennial updating to the commission. The plans would be required to include a policy element, an action element, and a financial element.

The bill would also require the transportation planning agencies and the county transportation commissions representing urban areas of 50,000 or more in population to

prepare regional transportation improvement programs, and their annual updating, for the areas under their respective jurisdiction and to submit them to the commission and the department. The department would be required to prepare such programs and updating for other areas of the state on a state transportation district basis.

(9) Under existing law, the department is required to consist of at least the Division of Highways, Division of Aeronautics, Division of Mass Transportation, Division of Transportation Planning, Division of Administrative Services, and Legal Division.

The bill would delete the requirement that the department have a Division of Transportation Planning.

(10) The bill would incorporate additional changes to Section 130252 of the Public Utilities Code proposed by Assembly Bill No. 1237 to become operative if Assembly Bill No. 1237 and this bill are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last.

(11) The bill would continue in effect the amendments made in Section 188.9 of the Streets and Highways Code by Senate Bill No. 869, if this bill is chaptered, until the repeal of that section as provided in this bill (see (3) above).

(12) The bill would make other related changes.

Ch. 1107 (AB 922) Vicencia. Public social services- disabled persons.

Existing federal and state law provides that for purposes of determining eligibility for supplemental security income benefits and state supplementary program benefits for the aged, blind and disabled, an individual is considered disabled if he is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment.

An individual who is eligible for such income benefits also is eligible to receive in-home supportive services, if he is severely impaired and in need of such services, and Medi-Cal benefits. An individual who would be eligible to receive such income benefits except for his excess income, is eligible to receive in-home supportive services if he is severely impaired and in need of such services and his income is insufficient to provide the cost of such services. Such individual who receives in-home supportive services is also eligible for Medi-Cal benefits provided his nonexempt income is used toward the purchase of such services.

This bill would make an individual who was once eligible for supplemental security income benefits and state supplementary program benefits and continues to suffer from the impairments which were the basis of the disability qualifying for such benefits, eligible for in-home supportive services, even though such individual engages in substantial gainful activity and regardless of whether he has excess income, if he requires in-home supportive care of at least 20 hours per week and his income is insufficient to provide for the cost of such services.

The bill would also make such individual eligible for Medi-Cal benefits if his income and resources are insufficient to provide for the costs of health care or coverage.

The bill would require the State Department of Benefit Payments to conduct a 3-year assessment of the operation of the act and to report to the Legislature the assessment results and the department's recommendations.

The bill would appropriate \$257,500 to the State Controller for allocation and disbursement to the State Department of Health and local agencies for costs incurred by them pursuant to the act.

Ch. 1108 (AB 1211) Fazio. Capitol Area Plan.

(1) Existing law provides that the Department of General Services shall establish a master plan for the development of future state buildings in the Capitol area and designates as the Capitol Area Plan the plan approved by the Capitol Building and Planning Commission on February 15, 1951.

This bill would designate the Capitol Area Plan as approved by the Director of General Services on March 15, 1977, as the official state master plan for development in Sacramento's central city and as a guide for the location of state buildings and other facilities in the metropolitan area. This bill would define the terms used in the bill, such as "central city" and "metropolitan area".

This bill would specify the factors which the Department of General Services shall consider when considering recommendations for changes in the Capitol Area Plan and

in formulating long-range plans and would specify certain program goals to which building plans in the core area shall be responsive and would require the approval of a majority vote of both houses of the Legislature for changes in the objectives of the plan.

(2) Existing law requires the department to report as specified to the Legislature at each session and requires the incorporation of a report relating to the acquisition and improvement of real property in the City of Sacramento.

This bill would instead require reports annually to the Joint Legislative Budget Committee and to each Member of the Legislature commencing with January 1, 1979, and would require the report to list leases of property by the state, construction by the state, certain related expenditures of the department, transactions and operations of the joint powers entity authorized to be created by the department and the City of Sacramento, and the department's appraisal of the conformance of these projects to the Capitol Area Plan. It would require the report to include detailed information on all these matters.

This bill would create a Capitol Area Committee with specified membership and duties.

(3) Existing law appropriates up to \$13,000,000, made available without regard to fiscal year, from the School Land Fund for the acquisition and improvement of real property in the City of Sacramento and within the boundaries of the Capitol Area Plan for specified uses and with a limitation upon administrative costs and empowers the Director of General Services to lease, sell, remove, or demolish buildings or other structures on the property when he deems it desirable to do so. At least 80% of such appropriation is to be expended in acquiring property outward from the core of existing state ownerships within the Capitol Area Plan.

Existing law provides that the Director of General Services shall submit a report, as specified, to the Capitol Building and Planning Commission which shall also be made part of the annual report submitted to the Legislature.

Existing law provides that all costs incident to maintaining, improving, and caring for or in demolishing, selling, or removing improvements from the real property acquired by the department shall be reimbursed from moneys which are received by the department and made available under specified provisions of law.

This bill would repeal the above provisions, but would retain the director's broad powers to maintain, repair, alter, sell, remove, or demolish buildings in the Capitol area when he deems desirable to do so, and would authorize him to construct structures consistent with the Capitol Area Plan.

This bill would provide that the Director of General Services may, subject to certain conditions, lease real property owned by the state within the core area, and not under the jurisdiction of any other state agency, for purposes consistent with the Capitol Area Plan and authorizes the director to lease some residential units in the Capitol area to low- and moderate-income persons for less than prevailing market rental rates.

This bill would provide that rentals from property in the Capitol area be used for specified upkeep of such property, such moneys to be deposited in the General Fund to be continuously appropriated to the department for implementation of all policies and programs set forth in the Capitol Area Plan. This bill would provide that commencing July 1, 1984, the unneeded balance in such funds shall be transferred to the unencumbered balance of the General Fund.

This bill would require the Director of General Services to promulgate regulations for moving expenses and provides further express authorization for the construction of parking structures for the use of the state in the core area. This bill would expressly authorize the Department of General Services and City of Sacramento to enter into a joint exercise of powers agreement to accomplish any of the objectives of the Capitol Area Plan. This bill would provide that all leases of state-owned property in the core area to any private person for other than parking shall be subject to possessory interest taxes in accordance with specified provisions of law. This bill would appropriate \$175,000 to the Department of General Services from the General Fund for specified purposes.

Ch. 1109 (AB 924) Gualco. State park acquisitions.

(1) Existing law establishes the state park system under the administration of the Department of Parks and Recreation.

This bill would make a one-time transfer of \$12,450,000 from the General Fund to the Bagley Conservation Fund and appropriate such amount for expenditure, without re-

gard to fiscal years, for the acquisition of specified lands for the state park system by the Department of Parks and Recreation. The bill would specify that the acquisitions are subject to the Property Acquisition Law

(2) Appropriations from the State, Urban, and Coastal Park Fund for the acquisition of real property for the state park system are contained in the Budget Act of 1977 (Ch. 219, Stats. 1977)

This bill would amend and supplement the Budget Act of 1977 by adding a section thereto to appropriate \$53,804,000 from that fund to the department for the acquisition of specified real property, consisting of coastal recreational resources, for the state park system. The bill would provide that none of the funds appropriated may be encumbered unless and until those projects have been reviewed by the Secretary of the Resources Agency.

(3) The bill also would prohibit the encumbrance of any funds appropriated thereby until the State Public Works Board has made a certain determination regarding implied dedication and public prescriptive rights or claims.

(4) The bill would take effect immediately as an urgency statute.

Ch. 1110 (AB 614) Bannai. Public Employees' Retirement System war relocation leave, increase in allowances.

The Public Employees' Retirement Law authorizes receipt of service credit by state employees who were in state service on March 5, 1942, for time during which they were absent from service on a "war relocation leave" and also authorizes a contracting agency to elect to refund employer contributions made by a member for such service credit.

This bill would make the service credit available to persons who were in state service 90 days before or after March 5, 1942. The bill would also provide that a contracting agency electing to make such refund prior to July 1, 1979, would not thereby be exempt from provisions relating to collective employer rates.

Existing law provides cost-of-living adjustments for retired members computed on the basis of the calendar year of retirement and limited to an increase of 2% per year. Contracting agencies are also permitted to adopt a 5% per year adjustment.

This bill would permit contracting agencies to elect to make specified 1-time increases in allowances with respect to local members, other than school members, who retired or died prior to January 1, 1974, or July 1, 1974

This bill would incorporate additional changes in Section 20937, Government Code, affected by Assembly Bill No. 324, to be effective only if Assembly Bill No. 324 and this bill are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last

Ch. 1111 (AB 789) McAlister. Insurance: production agency certificates of convenience.

Existing law provides for the issuance by the Insurance Commissioner of certificates of convenience to persons to act as specified insurance production agencies. Insurers and, in certain situations, agents and brokers, are permitted to appoint applicants for licenses who are employed by them to hold certificates of convenience.

This bill would, beginning January 1, 1981, remove the authority of the commissioner to issue such certificates except estate certificates of convenience, military service certificates of convenience and certificates of convenience for industrial debit collection certificate holders and insurance agents and insurance solicitors. It would also specify that the bill would not be construed to prohibit supervised on-the-job training of applicants for permanent production agency licenses.

Ch. 1112 (AB 1020) Fazio. Elections: crimes

(1) Under existing law any person who attempts to aid or abet fraud in connection with the casting of votes is guilty of a felony

This bill would provide that it also constitutes a felony for any person to commit fraud or attempt to commit fraud and for any person to aid or abet in the commission of fraud in connection with the casting of votes.

(2) Existing law makes it a felony for any person to directly or through any other person make use of certain corruptive or intimidating practices with respect to influencing voters to vote for a particular person.

This bill would also prohibit such practices with respect to influencing voters to vote for a particular measure.

(3) Existing law makes it a felony for any person who votes or attempts to vote an absent voter's ballot by fraudulently signing the name of a regularly qualified voter.

This bill would include in such felony provision any person who fraudulently signs the name of a person who is not qualified to vote

(4) Existing law makes it a misdemeanor for any person to threaten to commit an assault or battery on a relative of a person circulating an election petition with the intent to dissuade the circulator or in retribution for the circulation of the petition.

This bill would also make it a misdemeanor to do any of the above on the person who actually circulates the petition.

The bill would state that no appropriation or reimbursement is made to local government entities for costs incurred by them pursuant to this bill because of a specified reason.

Ch. 1113 (AB 1143) Duffy. Medical assistants.

Under existing law a medical assistant, as defined, is authorized to administer medication by intramuscular injection and to perform skin tests upon the specific authorization and under the direct supervision, as defined, of a physician and surgeon.

This bill would revise such provision by defining specific authorization to mean a specific written order or a standing order placed on the patient's medical record, as specified. The bill would authorize such medical assistants to administer medication by intradermal and subcutaneous injections, as well as intramuscular injection, and would authorize a medical assistant to perform venipuncture or skin puncture for the purpose of withdrawing blood. The bill would also authorize a medical assistant to act on the authorization and under the supervision of a podiatrist acting within the scope of his license

Ch. 1114 (AB 1165) Mello. State Energy Resources Conservation and Development Commission.

(1) Under existing law the State Energy Resources Conservation and Development Commission is required to furnish specified reports made by electric utilities to the commission to specified agencies, including each city and county within the service area covered by the report.

This bill would remove the requirement that copies of such report be furnished to each such city and county and would provide instead that the commission shall, upon request, forward without charge a copy of the report to any interested city or county

(2) Under existing law there is a State Energy Resources Conservation and Development Special Account in the General Fund, consisting of specified fees levied on utilities

This bill would establish a State Energy Resources Conservation and Development Reserve Account, a continuously appropriated account in the General Fund from which the Director of Finance would be authorized to transfer funds to the State Energy Resources Conservation and Development Commission, on specified terms, for cash-flow purposes, to pay general salary increases to officers and employees of the commission as approved by the Legislature, and to perform specified functions required of the commission by statute

(3) This bill would also make technical changes.

(4) The bill would also become operative July 1, 1978.

Ch. 1115 (AB 1202) Chappie. Elections: candidate's statements of qualification.

Under existing law, a candidate for local office who has a statement of his qualifications printed with the ballot pamphlet may be charged the actual prorated cost of printing, handling, and translating the candidate's statement

This bill would provide that such costs shall not include any charge for mailing.

This bill would also provide that there are no state-mandated local costs in this bill which require reimbursement because this bill would make only technical changes to existing law.

Ch 1116 (AB 1328) Keyser Elections affidavits of registration

(1) Existing law requires a completed affidavit of registration for voting purposes to be mailed or delivered in person to the county clerk or his deputy.

This bill would delete the requirement that such affidavits be delivered in person to the county clerk or his deputy. It would also require the county clerk or his deputy to accept an affidavit executed as part of a voter registration card, as specified, if such affidavit is executed on or before the 29th day prior to the election and is received by mail after the 29th day and by the fourth day after such 29th day prior to the forthcoming election.

(2) Existing law requires affidavits of registration to show specified facts.

This bill would exempt from such requirements specified information.

(3) Under existing law the Secretary of State is required to print, or cause to be printed, blank forms of affidavits of registration and voter registration cards. Existing law also prescribes the contents of such forms.

This bill would require voter registration cards to be numbered and to have a receipt attached to the affidavit portion of the card.

(4) Existing law permits voter registration cards to be distributed by citizens or organizations.

This bill would require all persons who mail voter registration cards to persons who did not request such cards to include a notice to disregard such cards if they are already registered, and to require a person to whom completed voter registration cards are entrusted to give the registrant a signed receipt showing his or her address and telephone number.

(5) Existing law makes it a misdemeanor for any person to willfully interfere with the prompt transfer of a completed affidavit of registration to the county clerk.

This bill would specify that it constitutes a misdemeanor for any person to retain a voter's completed voter registration card for more than 3 days, excluding Saturdays, Sundays, and state holidays, or to deny a voter the right to return to the county clerk the voter's own completed registration card.

(6) The bill would also make certain technical changes.

Ch 1117 (SB 996) Stern California water districts financing

(1) Under existing law the cessation of or reduction in the extraction of ground water by the owner of a right to extract, as a result of the use of an alternate supply of water from a nontributary source under prescribed conditions, is a beneficial use of the ground water and precludes loss of rights in ground water under such conditions.

This bill would declare that the cessation of or reduction in the use of water under any existing right regardless of the basis of right, as a result of the use of reclaimed water or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses, shall be a reasonable beneficial use of water to the extent of such reduction and shall preclude loss of an existing right under such conditions. The bill would authorize the State Water Resources Control Board to require any water user seeking the benefit of such provisions to file periodic reports as specified.

(2) Existing law provides for the issuance of general obligation bonds and revenue bonds by a California water district. Such a district is also authorized, with the approval of the voters of the district, to issue warrants and negotiable notes which are general obligations of the district for the payment of both principal and interest of which all land in the district subject to assessment is required to be assessed without limitations of rate or amount. It is also authorized, without the approval of the voters, to issue warrants and negotiable notes which are obligations of the district payable from assessments and other revenues of the district and subject to a prescribed maximum tax rate.

This bill would, in addition, authorize and prescribe the procedure for a California water district, where facilities are for delivery primarily of agricultural water supplies and wherein at least 51 percent of the assessable acreage is zoned and developed for agricultural uses, to issue revenue warrants to obtain funds for any lawful purpose of the district, including the repayment of indebtedness of the district. The bill would permit issuance of such revenue warrants in any year only if the district does not receive during such year its full contractual entitlement under a water supply contract with a public agency, upon which the district relies for meeting a substantial portion of its water supply needs. The bill would require, among other things, that the issuance of the

revenue warrants be authorized by resolution of the board of directors of the district adopted by a 2/3rds vote and approved by the Senate Treasurer and would require submittal of the resolution, on petition of persons holding title to 10% of the land area within the district, for approval or rejection of the qualified voters in the district at an election for such purpose.

The revenue warrants would be required to be secured by all or part of the revenues received by the district from prescribed charges for water made available by the district or from any other source other than assessments. Such warrants would be authorized to be issued upon such terms and conditions, and covenants to operate and maintain the facilities to produce the revenues securing the warrants, as the board may deem necessary, convenient, or desirable, as specified.

The bill would limit the amount of revenue warrants a district would be authorized to issue in any one fiscal year to \$4,000,000.

(3) Existing law authorizes the board of directors of a California water district, from time to time, to provide by resolution for a district fiscal year to begin and end on the date stated in the resolution. Existing law also requires the board of directors of such a district, annually and within 30 and 90 days after the anniversary of the date of formation of the district, to file with the clerk of the board of supervisors an estimate of the sum required by the district to discharge all its obligations, as specified after deducting the amount anticipated to be derived from water sales. Existing law also requires the board of supervisors of the principal county to hold equalization hearings within a specified number of days after such filing of the estimate and the assessment book.

This bill would authorize a California water district, which had adopted a fiscal year by resolution, to establish by resolution that the annual estimate of the sum required by the district to discharge all its obligations, as specified, shall be made between the first day of such fiscal year so adopted and 90 days thereafter. The board of supervisors would be required to hold the equalization hearings within the specified number of days after such new filing date of the assessment as provided by existing law.

(4) The bill would also provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section, nor appropriation made by the act for a specified reason.

The bill would become effective immediately as an urgency statute.

Ch. 1118 (SB 1224) Greene. Alcoholic beverages

Existing law makes prohibitions and various exemptions therefrom regarding the sale of alcoholic beverages near university grounds.

This bill would make such an exemption for the sale at auction of alcoholic beverages by a nonprofit organization at the California Museum of Science and Industry premises located at Exposition Park, Los Angeles, California.

This bill would take effect immediately as an urgency statute.

Ch. 1119 (AB 1400) Mangers. Elections: campaign contributions.

Under existing law, contained in the definitions provisions of the Political Reform Act of 1974, "contribution" is defined to include a "payment" which is further defined in the act to include a loan, forgiveness of a loan, or a payment of a loan by a third party, unless full and adequate consideration is received for such loan, forgiveness or payment, or unless it is clear from the surrounding circumstances that such loan, forgiveness, or payment is not for a political purpose.

This bill would expand the definition of "contribution" to provide that a loan received by a candidate or committee is a "contribution," regardless of whether full and adequate consideration is given for the loan, unless it is clear from the surrounding circumstances that it is not made for political purposes or is received from a commercial lending institution.

Existing law contained in the campaign reporting provisions of the Political Reform Act requires a candidate or committee to report on a separate schedule the receipt of all loans. It is not clear from the act whether such loans must be reported if full and adequate consideration is received for such loans or if they are not made for a political purpose.

This bill would clarify these campaign reporting provisions regarding loans received by a candidate or committee by providing that such loans do not come within the

definition of "contribution" but that they must be repaid regardless of whether they are made for a political purpose or whether full and adequate consideration is received for such loans if such loans are in fact used by a candidate or committee for a political purpose.

Ch 1120 (AB 1414) Lockyer. Property taxation: tax-deeded property.

Existing law authorizes taxing agencies prior to public sale to purchase or enter agreements to purchase property which has been deeded to the state or another taxing agency for nonpayment of taxes.

This bill would additionally authorize nonprofit organizations to purchase or agree to purchase tax-deeded property for the purpose of rehabilitation and sale to low-income persons.

Ch 1121 (AB 1430) M Waters. Medi-Cal: claims disputes.

Existing law provides that the prepaid health plan under the Medi-Cal program is liable for all in-area and out-of-area emergency services which are required by its contract under the program and rendered by a nonprepaid health plan provider. Payment for such services includes treatment of emergency conditions and payment is required to continue until such time as the enrollee may be transferred to any provider of the prepaid health plan.

However, under existing law, there is no specific procedure for resolution of a claims dispute between a prepaid health plan and a nonprepaid health plan provider under the Medi-Cal program.

Where a dispute arises between the prepaid health plan and the nonprepaid health plan provider as to the liability of the prepaid health plan for such services, the bill would authorize the nonprepaid health plan provider to submit the matter pursuant to specified procedures to the Director of Health for determination. The director would be required, by regulation, to provide for resolution of the dispute in a timely fashion and in a specified manner. The prepaid health plan or the nonprepaid health plan provider would be prohibited from billing the enrollees for services which are or have been the subject of review pursuant to the bill.

The bill would further provide that if the director determines that the prepaid health plan is liable for the emergency service, the plan must reimburse the nonprepaid health plan provider within 30 days. If the prepaid health plan fails to so reimburse the nonprepaid health plan provider within 30 days, the director would be required to arrange to set off the amount of the unpaid claim or claims from the no fewer than two future capitation payments owed to the prepaid health plan by the department, and to forward such setoff to the nonprepaid health plan provider. In making such arrangements, the director would be required to consult with the affected prepaid health plan provider to minimize the impact of such setoff or setoffs on cash flow.

Nonprepaid health plans would be authorized under the bill to enter into voluntary agreements to settle disputed claims through binding arbitration or other means acceptable to both parties.

The bill would appropriate \$83,000 to the Department of Health in order to carry out its provisions.

Finally, the bill would take effect immediately as an urgency statute.

Ch. 1122 (SB 725) Smith. Probation: fines and restitution

Existing law permits a victim of a violent crime, as defined, to seek indemnification through application to the State Board of Control. The application is reviewed and a hearing is held by the board to consider the application.

This bill would make specified changes in such procedure, including reconsideration of applications.

Existing law permits a judge to require, as a condition of probation, that a defendant make reparation.

Existing law also requires that if a court finds that a person convicted of a crime of violence resulting in injury or death of another person has the present ability to pay a fine and the economic impact on defendant's dependents will not cause such dependents to be dependent on public welfare a fine shall be imposed in addition to any other penalties. Such fines are deposited in the Indemnity Fund in the State Treasury. Victims

of violent crimes may receive financial assistance from such fund upon application to the State Board of Control if the board finds, among other things, that the victim is unable to recoup the pecuniary loss without suffering serious financial hardship.

This bill would, in addition, require a person to pay a penalty assessment of \$10 or \$5 upon conviction of any other felony or misdemeanor, respectively, to be deposited in the Indemnity Fund.

The bill would delete the requirement that victims applying for assistance show serious financial hardship.

This bill would require the probation officer to include in his report to the sentencing judge a determination of whether a defendant meets the conditions to impose such a fine and recommendations as to the imposition and amount of such fine. The bill would also require the judge to consider as a condition of probation for such a defendant that restitution be made to the victim or to the Indemnity Fund if assistance has been granted from such fund to the victim.

Existing law provides for a penalty assessment to be added to fines, penalties, and forfeitures imposed and collected by the courts for certain criminal offenses in a specified manner. The proceeds of such penalty assessments are deposited in the Peace Officers' Training Fund and are appropriated to the Commission on Peace Officer Standards and Training.

This bill would provide that fines or penalty assessments imposed pursuant to this bill are not subject to the penalty assessments which are presently imposed and deposited in the Peace Officers' Training Fund.

This bill would provide that there shall be no reimbursement or appropriation made by this bill to local agencies for a specified reason.

Ch. 1123 (AB 1206) Gage. Probation: fines and restitution.

Existing law permits a judge to require, as a condition of probation, that a defendant make reparation.

Existing law also requires that if a court finds that a person convicted of a crime of violence resulting in injury or death of another person has the present ability to pay a fine and the economic impact on defendant's dependents will not cause such dependents to be dependent on public welfare a fine shall be imposed in addition to any other penalties. Such fines are deposited in the Indemnity Fund in the State Treasury. Victims of violent crimes may receive financial assistance from such fund upon application to the State Board of Control if the board finds, among other things, that the victim is unable to recoup the pecuniary loss without suffering serious financial hardship.

This bill would delete such fines and require the courts to order defendants to pay penalty assessments of \$10 or \$5 upon conviction of a felony or misdemeanor, respectively. The bill would delete the requirement that victims applying for assistance show serious financial hardship.

This bill would require the probation officer to include in his report to the sentencing judge a determination of whether a defendant meets the conditions to impose such a fine and recommendations as to the imposition and amount of such fine. The bill would also require the judge to consider as a condition of probation for such a defendant that restitution be made to the victim or to the Indemnity Fund if assistance has been granted from such fund to the victim.

Existing law provides for a penalty assessment to be added to fines in a specified manner. The proceeds of such penalty assessments are appropriated to the Commission on Peace Officer Standards and Training.

This bill provides that notwithstanding such provisions any penalty assessments imposed in addition to fines provided in this bill shall also be deposited in the Indemnity Fund.

This bill would appropriate \$60,000 to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this act.

The bill provides that amendments to Section 13964 of the Government Code proposed by SB 83 would prevail over amendments made by this bill to Sections 13959 and 13964 of the Government Code, if both bills are chaptered, and this bill is chaptered last.

It also provides that amendments to Section 13967 of the Government Code proposed by SB 725 would prevail over amendments to that section proposed by this bill, if both bills are chaptered, and this bill is chaptered last.

Ch. 1124 (AB 2030) Bane. Lupus erythematosus research.

Funds appropriated in Item 241 of the Budget Act of 1977 (Ch. 219, Stats. 1977) for lupus erythematosus research may not be encumbered until contracts providing for such research have been approved by a committee created by specified provisions of law to review such proposals.

This bill would prohibit encumbrance of such funds until grants providing for such research also have been so approved.

This bill would take effect immediately as an urgency statute.

Ch. 1125 (SB 430) Behr. On-site wastewater disposal zones.

Existing law empowers certain public entities to acquire, construct, maintain, and operate sanitary sewers and sewerage systems. Such powers do not include the power to manage and control septic tank and septic systems and otherwise perform on-site wastewater disposal functions.

This bill would empower a public agency, as specified, and upon notice and hearing, and if such public agency is empowered to acquire, construct, maintain, and operate sanitary sewers and sewage systems, to form on-site wastewater disposal zones pursuant to the provisions of the bill, to collect, treat, reclaim, and dispose of wastewater without the use of sanitary sewers or sewage systems, as specified, and to adopt and enforce rules and regulations for the purposes of such zones, to abate violations of such rules and regulations, and to charge for such abatement, as specified.

The bill would authorize an assessment for benefit upon the real property in the zone, as determined by the board and by an election of the voters in the zone, for the purposes of the zone. Such assessment would be in addition to any other charges, assessments or taxes levied on property in the zone by the public agency.

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor appropriation made by this act for a specified reason.

Ch. 1126 (SB 629) Presley. Professional corporations.

Existing law authorizes specified professionals to incorporate and practice or engage in a single profession.

This bill would specify that a psychologist may own shares in a medical corporation and practice psychology in the name of such medical corporation and that a physician and surgeon may own shares in a psychological corporation and practice medicine in the name of such psychological corporation.

Under existing law it is grounds for the suspension or revocation of the certificate of registration of a professional corporation if the corporation violates any applicable statute, rule, or regulation.

This bill would specify that no professional corporation may be formed to cause a violation of law or any rules or regulations relating to fee splitting or kickbacks, by physicians or psychologists, and would make a violation of such laws, rules, or regulations grounds for the suspension or revocation of the certificate of registration. The Commissioner of Corporations could refer suspected violations to the appropriate licensing agency.

Ch. 1127 (SB 771) Garamendi. Credit unions.

Under existing law, amendments to the articles of incorporation of a credit union may be adopted only in accordance with the provisions of the General Corporation Law.

This bill would permit the adoption of amendments to the articles of incorporation of a credit union by a resolution of the board of directors which is also adopted by a vote of a majority of the members of the credit union present, in person or by proxy, as provided in the credit union's bylaws, at any regular or special meeting of the shareholders for which notice of such proposed amendment has been given.

Existing law prohibits a credit union from imposing fines for the failure of members to make payments on shares, loans, or other accounts when due, in excess of 20% of the interest due with a minimum of not less than \$.05.

This bill would change the reference to "fines" to "late charges" and would prohibit a credit union from imposing such late charges in excess of 3% of the payment due.

Existing law permits credit unions with assets of \$1,000,000 or more to make loans to

members resulting in the member being obligated to the credit union up to \$20,000, plus the amount secured by shares of the credit or certificates for funds, where the credit union's paid-in and unimpaired capital and surplus is \$3,000,000 or more.

This bill would, with respect to such credit unions, permit a maximum obligation to the credit union per member of $\frac{1}{2}$ of 1% of the paid-in and unimpaired capital and surplus of the credit union plus the amount secured by shares of the credit union or certificates for funds, but not to exceed a maximum of \$100,000 per member or such greater amount as the Commissioner of Corporations may permit.

Ch. 1128 (SB 876) Holden. Unemployment insurance: benefit amount.

Existing law provides that an individual eligible for unemployment compensation benefits in any week shall be paid an amount equal to his weekly benefit amount less the amount of wages in excess of \$18 payable to him for services rendered during that week.

This bill would instead provide that such an individual be paid an amount equal to his weekly benefit amount less the amount of wages in excess of \$21 payable to him for services rendered during that week.

This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason.

Ch. 1129 (SB 852) Marks. Impoundment of unlawfully parked vehicles.

Existing law authorizes designated peace officers to impound any vehicle registered in a foreign jurisdiction that is known to have been issued 5 or more notices of parking violation over a period of 5 or more days, to which the owner or person in control of the vehicle has failed to respond, until such person furnishes evidence of his identity and an address in this state at which he can be located.

This bill would authorize such impoundment until such person furnishes satisfactory evidence that bail has been deposited for all notices of parking violation issued for the vehicle, in addition to furnishing evidence of his identity and such an address. The bill would grant discretion to the impounding law enforcement agency to issue a notice to appear instead of requiring evidence that such bail has been deposited. Further, the bill would grant an option to the owner or person in control of the vehicle to demand an appearance before a magistrate, as specified, instead of either furnishing evidence that such bail has been deposited or accepting the notice to appear.

The bill would incorporate changes in Section 22651 of the Vehicle Code enacted by Chapter 73 of the Statutes of 1977 (SB 157).

The bill would also incorporate additional changes in Section 22651 of the Vehicle Code, proposed by Senate Bill No. 606, to be operative only if this bill and Senate Bill No. 606 are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last.

The bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor any appropriation made by this bill for a specified reason.

Ch. 1130 (AB 1596) Antonovich. Child abuse.

Existing law provides criminal penalties for child abuse.

This bill would (1) authorize the prosecuting attorney in lieu of prosecuting a person suspected of violating provisions of law relating to acts that may constitute child abuse to refer that person to the county department providing public social services for counseling and other needed services that such department deems necessary; (2) require a psychological evaluation with regard to probation and parole with regard to such violators in designated instances; and (3) provide that a course in child abuse detection and treatment is part of the required curriculum of applicants for a physician's and surgeon's license on or after September 1, 1979, and for licensure as a registered nurse.

This bill also incorporates additional changes in Section 2192 of the Business and Professions Code proposed by AB 1172, to be operative only if both bills are chaptered, and this bill is chaptered last.

Ch. 1131 (SB 468) Holden. Business enterprises for the blind.

Under current law, blind persons may be licensed to operate vending stands, as defined, and food service facilities, as defined, and may operate such business in any buildings owned or occupied by the state, county, or city except for buildings occupied by certain educational institutions.

This bill would revise such provisions to provide for the licensing of vending facilities, as defined, to require such facilities be given priority on specified state property without any direct competition and to require that after January 1, 1978, specified state-owned or occupied property include a vending facility site. The bill would not apply to existing employee operated, nonprofit organizations operating specified vending facilities and would not require such organizations to discontinue operations. The bill would provide for arbitration of disputes. The bill also would require that Business Enterprises Program for the Blind be established by the Director of Rehabilitation to administer the law. The bill would provide for an amount not exceeding 6% of gross sales to be set aside for service charges and an amount equal to 6% of wages paid to blind or disabled employees to be deducted from such service charge. Set-aside funds would not be collected from a vendor whose monthly net proceeds are less than \$400, adjusted annually for cost of living. In addition, the bill would provide for vending on federal property.

The bill would provide an evidentiary hearing for a blind vendor dissatisfied with actions relating to operation or administration of the program with a right to file a complaint with the Secretary of Health, Education, and Welfare for arbitration.

The bill would require that the department establish a committee of licensed blind vendors to, among other things, participate, with the department in major administrative decisions and policy and program development.

The bill would require the Director of General Services to conduct a survey of all vending machines on state property and make a report

Ch. 1132 (SB 977) Sieroty. State taxes: repairing and remodeling: cost deduction.

Existing provisions of the California Personal Income Tax Law and Bank and Corporation Tax Law authorize a taxpayer to deduct an amortized portion of certain costs of repairing or remodeling capital assets over a period of time, to reflect wear and tear and obsolescence of such capital assets. Such deduction is available only with regard to property used in a trade or business or held for the production of income.

This bill would allow a taxpayer to elect to deduct the entire cost of repairing or remodeling any building, facility or transportation vehicle owned by the taxpayer to facilitate its use by handicapped or elderly individuals, as defined, not to exceed \$25,000 for any taxable year beginning after December 31, 1976, and before January 1, 1980

This bill would take effect immediately as a tax levy, but its operative effect would depend upon its effective date.

Ch. 1133 (AB 1552) Bates. Health facilities: licenses

Under present law a corporation or partnership may be licensed as a health facility, and nothing in the statutes expressly requires the partners or officers, directors, or stockholders of such a licensee to be subject to approval of the State Department of Health.

This bill would require that, when a partnership or corporation is to be licensed as a skilled nursing facility or intermediate care facility, the general partners, directors, officers, and owners of specified beneficial interests be listed on the license application, together with a description of specified relationships of such person to other skilled nursing facilities, intermediate care facilities, or community care facilities. The bill would prohibit any person on and after January 1, 1978, from becoming an officer, director, or general partner of, or acquiring a 10% beneficial interest in, a corporation or partnership licensed to operate a skilled nursing facility or intermediate care facility, unless approved by the State Department of Health. The bill would specify grounds for denial of such licenses or applications to become an officer, director, general partner, or owner of a 10% beneficial interest in a corporation or partnership operating a skilled nursing facility or intermediate care facility.

The bill would exempt from its coverage financial institutions and title companies to which a license is issued in a fiduciary capacity. The bill would exempt from its coverage the directors of tax-exempt nonprofit corporations operating skilled nursing or interme-

diate care facilities in conjunction with a licensed residential facility, where such directors serve without financial compensation and are not compensated by the nonprofit corporation in any other capacity. The bill would not create any new criminal or civil liability in contravention of general laws respecting limited liability.

Ch. 1134 (AB 1748) McVittie. Sales and use taxes: exemption: factory-built housing.

Under present law, state and local sales and use taxes on factory-built housing are computed on 40% of the sales price of the housing, as defined, to the consumer. This provision will become inoperative on December 31, 1977, and after that date the sales or use tax on such housing will be based on the full sales price to the consumer.

This bill would extend until December 31, 1979, the termination date so that state and local sales and use taxes on factory-built housing will continue until that date to be computed on 40% of the sales price to the consumer.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for lost revenues incurred by them pursuant to this bill.

Ch. 1135 (SB 90) Gregorio. Taxation.

Under existing law local agencies may levy a property tax rate in addition to the otherwise permissible maximum rate to pay costs mandated by the federal government or by the courts which are not funded by the federal or the state government.

This bill would authorize school districts, community college districts and county superintendents of schools to levy such additional tax rate under such circumstances.

Existing law continuously appropriates money from the State General Fund to compensate local governments for property tax revenues lost by reason of the homeowners' property tax exemption.

This bill, by authorizing school districts, community college districts and county superintendents of schools to levy an additional tax rate, would have the effect of changing the existing appropriation.

Under existing law, if a local agency or school district, at its option, has been incurring costs which are subsequently mandated by the state, the state shall reimburse them for such cost incurred after the operative date of such mandate and the local agency or school district is required to reduce its property tax rate by an equivalent amount.

This bill would specify that, in such circumstances, the maximum property tax rate shall be reduced by an equivalent amount and would also require such local agency or school district to reduce its revenue limit and its actual tax rate levied for such purpose.

Existing law requires the Department of Finance to submit an annual report to the Legislature reviewing all statutes enacted during the calendar year which contain a disclaimer provision or which have resulted in costs or revenue losses mandated by the state which were not identified when the statute was enacted and to identify the costs involved in complying with such provisions.

This bill would, in addition, require the Department of Finance to review, on a one-time basis, statutes enacted prior to January 1, 1977, but after January 1, 1973, which contain such disclaimer provisions or which have resulted in costs mandated by the state.

This bill would also require the Department of Finance to review all statutes enacted, and executive orders issued, during the calendar year, which contain provisions relating to sales and use tax revenue losses or property tax revenue losses and would specify that such department shall cause to be included in each Budget Bill the amount necessary to provide for reimbursement to local agencies and school districts for such losses.

Existing law authorizes a specially constituted Board of Control to hear and decide claims of not less than \$30 for additional state reimbursement of local agencies or school districts in specified instances.

This bill would increase from \$50 to \$200 the minimum claim which may be submitted to the Board of Control, and, in addition, authorize the submission of a claim alleging that a chaptered bill or executive order has resulted in a cost or revenue loss mandated by the state and contains a provision making inoperative certain legislative mandates that the state reimburse local agencies for such costs, or because a chaptered bill resulting in such costs did not contain an appropriate disclaimer or appropriation.

Under existing law the Board of Control, after reviewing the evidence presented to it, may increase or reduce the amount requested by the claimant, or may disallow the claim.

This bill would revise the claim procedure to require the board to hold a public hearing on specified claims relating to chartered bills, require the board to adopt parameters and guidelines for reimbursement on all claims relating to such bill, authorize a claimant to commence a court proceeding to set aside a board decision on grounds that the decision is not supported by substantial evidence, and would specify that a claim must be submitted not more than 1 year after specified deadlines

Under existing law the Board of Control is required to report to the Legislature those claims for local reimbursement of local costs which it has approved, for consideration by the Legislature in a bill appropriating money for such purpose

This bill would specify that the board shall include in such report the number and amount of claims awarded to local agencies and school districts and would specify that the local government claims bill shall, at the time of its introduction, provide for an appropriation sufficient to pay all such awarded claims

This bill would also appropriate \$120,343 from the General Fund for allocation to specified state agencies for the implementation of this act

Ch 1136 (SB 845) Campbell. Property taxation maximum tax rates

Existing law establishes maximum property tax rates for local agencies, and provides that one method of changing such a maximum rate is upon the approval of a majority vote of the qualified voters at a duly called election

This bill would specify that a local agency formed after a certain date may levy certain generally applicable additional taxes in excess of the general rate limit, and would permit an improvement district to levy an ad valorem tax for the purpose of apportioning the costs of facilities and services made available by a local agency so long as the total property tax rate within such improvement district does not exceed the maximum rate established for the local agency without regard to the existence of the improvement district

The bill would also exempt improvement districts formed for the purpose of issuing bonds, which have been approved by the electorate, from the maximum tax rate provisions

Existing law continuously appropriates money from the State General Fund to compensate local governmental entities for property tax revenues lost by reason of the homeowners' property tax exemption

This bill would alter these existing appropriations

The bill would take effect as an urgency statute

Ch. 1137 (AB 1278) W. Thomas. Elections: recall

Existing law provides for the recall of local elected officers

This bill would revise such provisions to include county boards of education within its provisions, to exclude chartered counties provisions of the charter or ordinances of which provide for the recall of county officers; to include local officers appointed in lieu of election or to fill a vacancy; to shorten the period at the beginning of the term of an officer of a special district, school district or community college during which he may not be recalled from 6 months to 90 days; to require recall petitions for local officers * to be filed with the county clerk or Secretary of State for approval as to form prior to circulation, to provide that such recall petitions are deemed filed only after a preliminary examination under which it is determined that, prima facie, the minimum number of signatures required has been obtained, to revise the periods available for circulation of recall petitions, and the number of signatures required, on an ascending scale according to the number of registered voters in the electoral jurisdiction, to delete provisions authorizing reimbursement for city or county officers who are unsuccessfully recalled, to prohibit a recall officer from succeeding himself at a special election held to fill the vacancy created by his recall or from being appointed by the legislative body to fill the vacancy, to provide for the calling of a recall election should the legislative body fail to order the election, to delete the requirement that a voter sign his name and have it witnessed and subscribed by the clerk or one of his deputies in order to withdraw his name from a recall petition, and to make related changes

The bill would also provide that no appropriation is made and that the state shall not reimburse local agencies for costs incurred by them pursuant to this bill

Ch. 1138 (AB 93) *Robinson Local agencies: financial affairs.*

Existing law permits the legislative bodies of counties, cities, public districts, or any public or municipal corporation, which has surplus money in its treasury not required for immediate necessities of the local agency, to invest such money in, among other things, banker's acceptances, in an amount not to exceed 15% of the agency's surplus money, which are eligible for purchase by the Federal Reserve System. The treasurer of a county, city, city and county, or other public agency or corporation, is permitted to make a similar investment of money belonging to, or in the custody of, a local agency.

This bill would increase to 30% the amount of the agency's surplus money which may be invested in such banker's acceptances.

Existing law provides that the Controller, when making a breakdown of local revenue sources other than property tax or sales tax, may waive reporting requirements for any revenue source which is collected in minimal amounts or which is distributed evenly in the entire city. This provision is scheduled to terminate July 1, 1978. The bill would extend the termination date to July 1, 1979.

Ch. 1139 (SB 863) *Dunlap Transportation*

(1) Existing law requires, with certain specified exceptions, that state contracts be approved by the Department of General Services.

This bill would expressly exempt from such approval contracts entered into by the Department of Transportation which are not funded by money derived by state tax sources but, rather, are funded by money derived from federal or local tax sources.

(2) Chapter 1130 of the Statutes of 1975 made funds available, from the Transportation Planning and Research Account in the State Transportation Fund, to the State Controller for allocation to the Secretary of the Business and Transportation Agency for various transportation projects.

The bill would make any facility and equipment purchased by any entity, with funds made available to it under those transportation projects, the property of the entity if it maintains the same level of use of the facility or equipment for a period of 3 years after termination of the project under which the funds were allocated to it, as was maintained during the period of the project.

Ch 1140 (SB 7) *Holden. Discrimination in housing: financial assistance to persons.*

The existing provisions of the so-called Rumford Fair Housing Act make the practice of discrimination because of race, color, religion, national origin, ancestry, sex, or marital status in housing accommodations unlawful; empower the State Fair Employment Practice Commission to prevent violations of the act; and give the commission the duty to receive, investigate, and pass upon verified complaints alleging discrimination in housing accommodations and to serve a cease and desist order and require affirmative action when it finds an unlawful discrimination practice.

Existing law does not prohibit discrimination in the provision of financial assistance to persons for financing housing accommodations because of conditions, characteristics, or trends in the geographical area surrounding the housing accommodation.

This bill would prohibit defined "financial institutions," including private financial institutions and public agencies, and officers, employees, and agents thereof, from discriminating in the availability of, or in the provision of, financial assistance for the purpose of purchasing, rehabilitating, improving, or refinancing housing accommodations, as defined by the bill, due to consideration of conditions, characteristics, or trends in the geographical area surrounding the housing accommodation, except when the financial institution can demonstrate that such consideration in a particular case is required to avoid an unsafe and unsound business practice. The bill would define "housing accommodation," for its purposes, to include only residential structures of 4 dwelling units or less which are either (1) occupied, or to be occupied, by the owner, or (2) where the owner, whether or not the owner will occupy the property, has or will apply for a secured home improvement loan from a financial institution, the proceeds of which loan will be used to improve the security property.

The bill would prohibit discrimination in such financial assistance by financial institutions due to consideration of race, color, religion, sex, marital status, national origin, or ancestry or due to the racial, ethnic, religious, or national origin composition of the neighborhood or geographic area surrounding a housing accommodation.

The bill would require the Secretary of the Business and Transportation Agency to process complaints of any applicant for a real estate loan in connection with a housing accommodation discriminated against in accordance with procedures for the resolution of complaints for violations by financial institutions relating to discrimination in housing finance. The secretary would be empowered to require the making of the disputed loan under nondiscriminatory conditions, or if that relief is no longer effective, to order payment of damages not exceeding \$1,000. The bill would provide for formal administrative hearings, upon request, with the hearing officer's decision to be final. The secretary would be required to represent the complainant at such hearing if the secretary's initial decision was in favor of the complainant. In any mandamus action for judicial review of the decision of the hearing officer, the court would be authorized to award a prevailing complainant costs and attorney fees. In such an action the court would be empowered to exercise its independent judgment on the evidence and consider evidence improperly excluded from the administrative hearing or which could not, with the exercise of reasonable diligence, have been produced at the hearing.

This bill would also authorize the secretary to recommend to the State Treasurer that state funds not be deposited in a financial institution where the secretary makes a finding that the institution has violated the act by illegal lending patterns and practices.

Ch. 1141 (AB 865) Lanterman. Developmental disabilities: rates.

Under existing law, the State Department of Health submits suggested rates to be paid to providers of community living facilities for the developmentally disabled to the Legislature, which become effective subject to the appropriation of funds for that purpose.

This bill would revise the bases for establishing the rates to be paid.

This bill would appropriate \$15 million † to the State Department of Health for 1977-78 to augment the funds appropriated for the payment of the rates established for fiscal year 1977-78.

This bill would also direct the Legislative Analyst to study the feasibility of establishing an independent ratesetting commission for community care facilities and health facilities for the developmentally disabled.

This bill would take effect immediately as an urgency statute.

Ch. 1142 (AB 1628) Greene. Unemployment insurance: tips and gratuities.

Existing law provides that tips or gratuities customarily received and retained by a worker in the course of his employment shall be treated as wages paid for unemployment and disability compensation insurance purposes if such tips or gratuities plus the excess of the minimum wage required to be paid constitute substantially the only wage payable to the worker.

This bill would provide that, notwithstanding the above, such tips and gratuities shall also be treated as wages for the purposes of unemployment insurance disability benefits only if they are equal to or greater than \$20 during any calendar month.

This bill would also provide detailed procedures for the reporting of such tips and gratuities, the withholding of worker contributions, and the furnishing of employee statements.

Ch. 1143 (AB 1379) Fazio. Unemployment insurance.

Existing law requires that contributions required under specified provisions relating to elective coverage of unemployment disability insurance be at a rate of 1.25% of the remuneration deemed to have been received under such provisions.

This bill would require that such contributions be at a rate of 1.72% of such remuneration for calendar year 1978, and be at a rate determined by the Director of Employment Development according to a specified formula for calendar year 1979 and after.

This bill would also specify that the director's action in determining such a rate would not constitute an authorized regulation.

Existing law provides that, for purposes of unemployment compensation disability benefits, the "disability base period" of an individual who has an unexpired benefit year for unemployment compensation benefits shall be the same as the base period used to establish the benefit year for unemployment compensation benefits.

This bill would instead provide that the "disability base period" of such an individual

† Appropriation reduced to \$5,000,000 by action of the Governor.

shall be the same as the disability base period of an individual who does not have an unexpired benefit year for unemployment compensation benefits if the individual has sufficient qualifying earnings in that period, but if there are not sufficient qualifying earnings in that period, the disability base period shall be the same as the base period used to establish the benefit year for unemployment compensation benefits.

Existing law provides that a disabled individual is eligible to receive disability benefits if unemployed due to a disability if, among other things, he has been unemployed and disabled for a waiting period of 7 consecutive days during each disability benefit period with respect to which waiting period no benefits are payable.

Existing law also provides that during confinement in a hospital or nursing home, an individual eligible for unemployment compensation disability benefits is entitled to receive, in addition to all other benefits, the amount of \$12 for each day not in excess of 20 days in any one disability benefit period. An individual eligible for such additional benefits is not subject to the waiting period of 7 consecutive days as a condition precedent to the receipt of disability benefits.

This bill would repeal such provisions providing additional benefits, and would instead provide that if an individual is confined in a hospital, pursuant to orders of his or her physician, for at least 1 day, any unexpired full days of the 7 day waiting period for disability benefits shall be waived.

Existing law provides ~~that~~ [that] * an individual's "weekly benefit amount," for purposes of unemployment compensation disability benefits, is determined by reference to a table which specifies a weekly benefit amount ranging from \$25 to \$119, depending on the amount of wages paid in the highest quarter of the individual's disability base period.

This bill would revise such table to specify a weekly benefit amount ranging from \$30 to \$146.

This bill would provide that specified provisions of the bill become operative with respect to periods of disability commencing on or after January 1, 1978, and other specified provisions of the bill become operative with respect to periods of disability commencing on or after January 1, 1979.

Ch. 1144 (AB 1852) McAlister. Nuclear thermal electric sites

Existing law prohibits any nuclear fission thermal powerplant requiring the reprocessing of fuel rods, including such plants exempted from certification by the commission, or any nuclear fission thermal powerplant from being permitted land use in the state or, where applicable, from being certified by the commission, until the State Energy Resources Conservation and Development Commission finds that the United States through its authorized agency has identified and approved, and there exists a technology for the construction and operation of, nuclear fuel rod reprocessing plants and, a demonstrated technology or means of disposal of high-level nuclear waste and until 100 legislative days have passed since such findings of the commission have been filed with the Legislature and neither house of the Legislature has adopted a resolution disaffirming such findings.

This bill would require the commission, no later than January 16, 1978, to transmit to the Legislature its determination as to whether all of such findings can be made at that time, and in the event that the commission determines any such findings cannot be made, it would be required to include in its determination a recommendation as to whether any facility for which a notice of intention has been filed with the commission before January 1, 1977, should be exempt from such requirement what conditions, if any, should be attached to such exemption, and require the commission to consider various enumerated factors in making the recommendation.

This bill would take effect immediately as an urgency statute

Ch. 1145 (AB 1489) Suitt. Mount San Jacinto State Wilderness, Lake Elsinore State Recreation Area, and Cuyamaca Rancho State Park.

(1) Existing law does not provide for any study of means of providing public access to the Deer Springs Trail in the Mount San Jacinto State Wilderness.

This bill would require the Department of Parks and Recreation to conduct a study to determine appropriate means of providing such public access and to report the findings of such study to the Legislature by March 1, 1978. The bill would appropriate \$3,000 to the department for such purpose.

(2) Existing law appropriates \$220,000 from the Park and Recreation Revolving Account in the General Fund, together with \$40,000 from the Harbors and Watercraft Revolving Fund, to the department for expenditure, from September 1, 1976, to December 31, 1978, for a study regarding the availability and feasibility of a well water source of supply for Lake Elsinore. Further, existing law appropriates \$300,000 from that account to the department for expenditure for the immediate purchase or pumping of water to raise the level of the lake, contingent upon the lake's level receding to a designated elevation, as determined by the director.

This bill would instead appropriate \$520,000 from that account, together with \$40,000 from the Harbors and Watercraft Revolving Fund, for expenditure to December 31, 1979, for the study, as specified, and would instead provide that not more than \$300,000 of the \$560,000 may be expended for the purchase or pumping of water for raising the lake's level upon the happening of that contingency.

(3) Existing law appropriates \$500,000 from the Park and Recreation Revolving Account for the preparation of an environmental impact report and certain construction activities at Lake Elsinore State Recreation Area.

This bill would reappropriate the unencumbered balance of such funds, to be available for expenditure until June 30, 1980.

(4) Existing law does not provide specifically for the acquisition of the Oakzanita property as an addition to Cuyamaca Rancho State Park.

This bill would appropriate \$200,000 † from the General Fund to the department for that purpose.

(5) The bill would take effect immediately as an urgency statute.

Ch. 1146 (SB 923) D. Carpenter. Crimes: terrorist threats.

Existing law generally prohibits, as extortion, the obtaining of property from another, with his consent, or the obtaining of an official act from a public officer, induced by a wrongful use of force or fear, or under color of official right, but contains no specific provisions governing terrorist threats.

This bill would specifically provide that any person who willfully threatens to commit a crime which will result in death or great bodily injury to another person with intent to terrorize another, as defined, or with reckless disregard of the risk of terrorizing another, and who thereby either causes another person reasonably to be in sustained fear for his or her or their immediate family's safety, causes the evacuation of a building, place of assembly, or facility used in public transportation, interferes with essential public services, or otherwise causes serious disruption of public activities, is guilty of a felony and shall be punished by imprisonment in the state prison for 16 months, 2, or 3 years.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill for the reasons specified.

Ch. 1147 (AB 38) McAlister. Motor vehicle keys; crimes.

(1) Existing provisions of law prohibit the manufacture or sale of motor vehicle master and wheel lock master keys to any person, other than a person who uses such keys in a lawful occupation or business. Violation of such provisions constitutes a misdemeanor.

This bill would prohibit the making of any key for a motor vehicle by any method other than duplication of an existing key without obtaining certain information from the person for whom the key is made. The bill's applicability would include but not be limited to the making of a key from key codes or impressions. The bill would not, however, apply to the duplication of a motor vehicle key from another such key.

The bill would also make it unlawful for any person, with the intent to use a key in the commission of an unlawful act, to possess a motor vehicle key with knowledge that such key was made without the consent of either the registered or legal owner of the motor vehicle or a person who is in lawful possession of the motor vehicle.

A violation of these provisions of the bill would constitute a misdemeanor.

(2) Under existing law, it is a crime to possess a device with intent to feloniously break or enter into a building, as defined, or to knowingly make or alter a key or device to open the lock of a building, as defined, unless requested to do so by a person having the right

† Appropriation deleted by action of the Governor.

to open the building

This bill would specifically include a railroad car, aircraft, vessel, trailer coach, or vehicle within such prohibitions.

(3) The bill would provide that there shall be no reimbursement or appropriation pursuant to this bill for a specified reason.

Ch. 1148 (SB 817) Presley. Employment of minors in pornography.

Existing law prohibits the importation, sale, or distribution in this state, or the possession, preparation, publication, or printing with the intent to distribute or to exhibit to others, or the offer to distribute, or the distribution or exhibition to others, of obscene matter, as defined.

Existing law also makes various restrictions on the performance of sexual acts and prohibits employment of minors under 16 years of age in "obscene," "indecent," or "immoral" activities.

This bill would prohibit as a felony various conduct involving any person under the age of 16 years for engaging in specified actual or simulated sexual conduct, as defined, for commercial purposes. It would also make it a felony for any parent or guardian to permit such a minor under his or her control to engage in such activity.

This bill would also require persons engaged in various activities related to the sale or distribution of films, photographs, slides, or magazines depicting minors engaged in sexual conduct to keep, for 3 years, confidential records of the names and addresses of the persons from whom such material is obtained. Retailers would be required to keep, for 3 years, records of persons from whom such material is acquired. The records would be available to law enforcement officers on request. Disclosure by law enforcement officers, or failure to keep such records for 3 years, would be a misdemeanor. Each violation of such recordkeeping provisions would subject a person to civil penalty not to exceed \$5,000.

This bill would provide that there shall be no reimbursement or appropriation pursuant to this bill for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 1149 (SB 224) Behr. Unemployment compensation: prison inmates.

Existing law does not provide unemployment compensation benefits, extended duration benefits, federal-state extended benefits, and unemployment compensation disability benefits for former inmates of state prisons or institutions under the jurisdiction of the Department of Corrections.

This bill would include such former inmates, as permitted in the Constitution, for not exceeding 26 weeks of benefits, based upon wages in specified "employment" performed as an inmate, and would require that the additional cost of these benefits be paid by the state.

This bill would require a former inmate to have been paid wages for employment, computed at \$2.30 per hour of employment, of not less than \$1,500.

This bill would impose specified duties upon the Director of the Employment Development Department and the Department of Corrections in connection with such payments and benefits, and would require the Department of Corrections, in cooperation with the Employment Development Department, to report to the Legislature on the effectiveness of these provisions by July 1, 1981.

This bill would remain in effect only until November 1, 1983, and as of such date would be repealed unless a later enacted statute deletes or extends such date. Any new claim for benefits filed with an effective date prior to November 1, 1983, would continue to receive benefits provided by this bill, but no claim may use wages of inmates which are earned after July 1, 1982.

This bill would become operative July 1, 1978

Ch. 1150 (SB 370) Deukmejian. Crimes: senior citizens, blind, paraplegic, quadriplegic.

(1) Under existing law, the commission of or attempt to commit an offense, in which bodily injury is inflicted against a person who is 60 years of age or older, blind, a paraplegic, or a quadriplegic, is not a criterion for the denial of probation.

This bill would provide that any person who commits or attempts to commit any of

specified offenses against a person who is 60 years of age or older, or, with knowledge or reasonable notice of such disability, who is blind, a paraplegic, or a quadriplegic, and who during the course of the offense inflicts great bodily injury, as defined, upon such person, shall be denied probation.

(2) Under existing statutory law, any person who is 16 or 17 years old when he violates a law is within the jurisdiction of the juvenile court, which may adjudge such person a ward of the court, and no court shall have jurisdiction to conduct a preliminary examination or to try a case against such a person, except where the circumstances and gravity of the offense and other factors, as specified, support a finding that a minor is not a fit and proper subject to be dealt with under juvenile court law.

This bill would include among the specific criteria therefor, the fact that any person is 16 or 17 years of age, is alleged to have committed such an offense against a person who is 60 years of age or older, blind, a paraplegic, or a quadriplegic, and during the course of the crime inflicted great bodily injury upon such person

Ch 1151 (SB 683) *Deukmejian. Career criminals*

Existing law contains various provisions relating to the prosecution and sentencing of persons with prior felony convictions.

This bill would add provisions permitting prosecutors in each county to establish Career Criminal Prosecution Programs whereby enhanced prosecution procedures would apply to persons under arrest who have suffered previous convictions or are charged with multiple offenses, as specified.

The bill would appropriate \$1,500,000 for such purposes.

The provisions of the bill would remain operative only until January 1, 1982, and on such date would be repealed.

Ch. 1152 (AB 513) *Cordova. Criminal procedure: preliminary hearings; trials.*

Existing law gives a defendant the right to a preliminary hearing within 10 specified days

This bill would give the right to both the people and the defendant to have the hearing within such time and, generally, at the earliest possible time except when waived or continued as specified

Existing law provides specified procedures for the granting of continuances in criminal cases as the ends of justice require, and for specified continuances where the attorney of record is a Member of the Legislature.

This bill would restrict the granting of continuances as specified.

Existing law provides that when a defendant in a misdemeanor case fails to appear in person at the time set for trial or during the course of trial, the court has discretion to do any one or more of the following: continue the matter, order bail forfeited or revoke the release of the defendant on his own recognizance, issue a bench warrant, or proceed with the trial upon a finding that the defendant has absented himself with full knowledge that the trial is to be held or is being held.

This bill would require the court to proceed with the trial, unless good cause for a continuance exists, if the court finds that the defendant has authorized his counsel to proceed in his absence. The bill would give the court discretion, upon a finding that there is no such authorization and the defendant fails to appear, to continue the matter, order bail forfeited or revoke release on the defendant's own recognizance, issue a bench warrant, or, if the defendant's absence is voluntary with full knowledge of the trial, to proceed with the trial. The bill would state that the bill does not limit the right of the court to order the defendant to be personally present at the trial for purposes of identification, unless the counsel stipulates to the issue of identity.

Ch. 1153 (SB 518) *Holmdahl. Mandatory imprisonment: second offense.*

Existing law precludes the granting of probation or the suspension of the execution or imposition of sentence for a person convicted of specified offenses, where such person has been previously convicted of specified offenses.

This bill would provide that any person convicted of a felony committed while the person was on parole for the commission of a previous felony shall not be granted probation or have the execution or imposition of sentence suspended, if either the current or the previous felony is a "violent felony" as defined by the Uniform Determinate Sentencing Act of 1976

Ch. 1154 (AB 1) Agnos. State recreation area: Candlestick Point.

Existing law authorizes the acquisition and development of real property at Candlestick Point for the state park system and appropriates \$10,000,000 from the Bagley Conservation Fund to the Department of Parks and Recreation for the acquisition of such property.

This bill would, instead, require the department to acquire and develop such real property at the earliest possible time. The bill would require development of the property in cooperation with a citizens' advisory committee. Further, the bill would require the department to encumber for the development of the property, after approval of a plan of development by the Legislature by statute, all funds appropriated for acquisition of the property that are not expended or needed during the period for which they are appropriated for that purpose. The department would be required to retain in perpetuity, as a unit of the state park system, the property thus acquired and developed and would be authorized to enter into an agreement for the operation and maintenance of the unit by the City and County of San Francisco.

Ch. 1155 (AB 1717) Fazio. Suisun Marsh and San Francisco Bay preservation.

The Nejedly-Bagley-Z'berg Suisun Marsh Preservation Act of 1974 requires the San Francisco Bay Conservation and Development Commission to prepare, and submit to the Governor and the Legislature on or before December 1, 1976, a Suisun Marsh Protection Plan. That act also provides for various restrictions on development within the marsh that are applicable until January 1, 1978, and the public acquisition of certain lands within the marsh.

This bill would repeal that act and enact the Suisun Marsh Preservation Act of 1977, which generally would provide for the following:

- (1) Implementation of designated policies set forth in the plan.
- (2) Designation of the respective responsibilities of the commission, various state agencies, and certain local governmental agencies and districts with respect to preservation of the marsh.
- (3) Preparation and implementation of a local protection program, subject to certification by the commission, by designated local governmental agencies and districts having jurisdiction over the marsh.
- (4) Preferential property tax assessment of certain agricultural and wildlife habitat lands in the marsh.
- (5) A system of development permits, including provision for appeals to the commission concerning the grant or denial of an application for a permit.
- (6) Judicial review of decisions of the commission.
- (7) Enforcement of the act and penalties for violation thereof.

The bill also would add provisions relating to the responsibility of Suisun Resource Conservation District over water management practices in the marsh. The bill also would provide for the reimbursement of local governmental costs mandated by the bill through the state budgetary process.

In addition, the bill would revise existing provisions of law relating to the jurisdiction over the certification of sites and related powerplant facilities proposed to be located within the marsh and the area of jurisdiction of the commission.

In addition, the bill would make changes in provisions of existing law relating to acquisitions in the marsh by the Wildlife Conservation Board to reflect the scope of the board's authority under the Wildlife Conservation Law of 1947.

Ch. 1156 (SB 1099) Rains. Income exemptions.

Under the existing Bank and Corporation Tax Law, for taxable years beginning on or after January 1, 1977, certain organizations otherwise exempt under that law are subject to tax where expenditures are made to influence or attempt to influence legislation, ballot measures or a recall procedure.

This bill would eliminate those provisions.

Under existing Personal Income Tax Law, gross income includes severance or terminal pay, which is also included as wages or compensation for purposes of unemployment insurance benefits.

This bill would exclude severance or terminal pay from gross income under the Personal Income Tax Law and from wages or compensation for purposes of unemploy-

ment insurance benefits for an individual who is terminated from employment as a direct result of the expansion of a federal redwood park in northern California by reason of federal legislation in 1977 or 1978. The bill would also declare the intent of the Legislature to urge Congress to provide similar federal income tax treatment for such severance or terminal pay.

The bill would take effect immediately as a tax levy.

Ch 1157 (AB 166) W. Thomas. Youth Authority: parole.

Existing law provides for the establishment of the Department of the Youth Authority to which youthful violators may be committed.

The bill would provide that when an alleged parole violator is detained in a county detention facility pursuant to a valid exercise of specified powers of the Youth Authority with regard to use of facilities not owned by the Youth Authority, if such detention is initiated by the Youth Authority, is related solely to conditions of parole, and is not related to a new criminal charge, the county shall be reimbursed by the Department of the Youth Authority for the costs of such detention.

The bill would appropriate \$73,000 for its purposes.

It would take effect immediately as an urgency statute.

Ch. 1158 (SB 68) Smith. Recycling of oil.

Existing law contains standards for oil which is sold, offered for sale, delivered, offered for delivery, or stored as an engine lubricant, engine oil, motor oil, or lubricating oil for use in an internal combustion engine, or as a product for use in lubricating transmissions, gears, or axles. However, under existing law there is no detailed regulation of the collection, storage, recycling, use, or disposal of used oil.

This bill would enact the "Used Oil Recycling Act" which would prescribe requirements regarding the collection, storage, recycling, use, and disposal of used oil in order to conserve irreplaceable petroleum resources. It would require the State Solid Waste Management Board to adopt specified rules regarding collection and disposal of used oil. The board would be required to maintain a used oil information center for such purposes.

The bill would additionally empower the board to register used oil collectors and recyclers, as defined, and certain storage facilities. The board would be required to report annually to the Legislature regarding the effectiveness of such provisions.

The bill would also specify certain civil penalties for violation of the act.

The bill would appropriate \$100,000 to the Solid Waste Management Board for the purposes of the bill.

Ch. 1159 (SB 839) Dills. State employer-employee relations.

Existing law contains provisions relating to employer-employee relations between the State of California and its employees, which presently provide that state employees have a right to form, join, and participate in the activities of employee organizations for the purpose of representation on all matters of employer-employee relations. The chosen employee organization has a right to represent its members in their employment relations, including grievances, with the state, and the scope of such representation includes wages, hours, and other terms and conditions of employment. Representatives of the state are required in this connection to meet and confer with the employee organization upon request, and to consider as fully as the representatives of the state deem reasonable the presentations made by the employee organization.

This bill would amend the above provisions to apply only to state employees not covered by the State Employer-Employee Relations Act enacted by the bill.

This bill would enact the State Employer-Employee Relations Act which would provide that state employees, defined as any civil service employee of the state and teachers under the jurisdiction of the Department of Education or the Superintendent of Public Instruction, and excluding certain other categories, have a right to form, join, and participate in the activities of employee organizations for the purpose of representation on all matters of employer-employee relations. Law enforcement employees would be given the right to be represented separately from other employees. The chosen employee organization would have a right to represent its members, except that once an employee organization is recognized as the exclusive representative of an appropriate unit, only that organization may represent employees in that unit.

The scope of representation would be limited to wages, hours, and other terms and conditions of employment. Representatives of the Governor would be required in this connection to meet and confer in good faith and endeavor to reach agreement with the employee organization, and, if agreement is reached, to prepare a memorandum of understanding and present it to the Legislature for determination. The Governor and the recognized employee organization would be authorized to mutually agree on the appointment of a mediator for the purpose of settling any disputes between the parties, or either party could request the board to appoint a mediator, in which case the costs of mediation would be paid by the board.

This bill would change the name of the Educational Employment Relations Board to the Public Employment Relations Board, and would specify various powers and duties of the board with relation to state employees. Any employee, employee organization, or employer would have the right to file an unfair labor practice with the board. The board would be required to establish procedures for granting exclusive recognition to employee organizations, and would determine appropriate units pursuant to specified criteria.

This bill would provide that in case of a conflict between specified code sections and a memorandum of understanding, the memorandum of understanding shall be controlling without further legislative action, but if any provision of a memorandum of understanding requires the expenditure of funds or the amendment of any code section not specified, such provisions would not become effective unless approved by the Legislature.

This bill would provide supervisory employees with the right to form, join, and participate in their own employee organization for representation on all matters of supervisory employer-employee relations, and would provide procedures for governing such supervisory employer-employee relations.

This bill would permit the state and a recognized employee organization to agree upon a maintenance of membership provision, as defined.

Existing law requires the State Personnel Board to establish and adjust salary ranges for each class of position in the state civil service.

This bill would, in addition, prohibit the State Personnel Board from establishing, adjusting or recommending a salary range for any employees in a bargaining unit where an employee organization has been chosen as the exclusive representative.

Existing law requires the Board of Administration of the Public Employees' Retirement System to annually report to the State Personnel Board its findings relating to the benefits of state employees, and requires the State Personnel Board to annually report to the Governor and the Legislature its recommendations on the total compensation of state civil service employees.

This bill would repeal such provisions.

This bill would become operative on July 1, 1978, except that specified provisions would be operative on January 1, 1978.

Ch. 1160 (AB 399) McCarthy. Water facilities bonds.

The Clean Water Bond Law of 1970 and the Clean Water Bond Law of 1974, both of which were approved by the voters, each provided for the issuance of state bonds in a total amount not exceeding \$250,000,000, and for expenditure of the proceeds for state grants for the planning, research, development, and construction of treatment works, and for transfers to the State Water Quality Control Fund for loans to public agencies pursuant to the Porter-Cologne Water Quality Control Act.

This bill would enact the Clean Water and Water Conservation Bond Law of 1978 which would provide, conditioned upon approval of the state electorate, for the issuance of state bonds for such purposes, and in addition for water reclamation and water conservation projects, in a total amount not exceeding \$375,000,000. The bill would provide for submission of the bond proposal to the voters at the 1978 direct primary election.

Ch. 1161 (SB 650) Nejedly. Litter control, recycling, and resource recovery.

Existing law does not contain a comprehensive litter control, recycling and resource recovery plan.

This bill would enact a comprehensive statewide litter control, recycling, and resource

recovery plan under the direction of the Solid Waste Management Board and establish a State Litter Control, Recycling, and Resource Recovery Fund.

Existing law contains no specific authorization for acceptance by the board of grants, gifts, and donations to carry out its purposes

This bill would contain such authorization.

The bill would impose an annual assessment on persons holding a seller's permit under the Sales and Use Tax Law

Finally, the bill would require the Legislative Analyst to analyze the operation of the act.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill for a specified reason

The bill would go into immediate effect as a tax levy, but would not become operative until January 1, 1978 The bill would terminate on July 1, 1983.

Ch 1162 (SB 9) Song. Family physician training program.

Under existing law, the Director of Health is authorized to contract with accredited medical schools, programs which train primary care physician's assistants, programs which train primary care nurse practitioners, hospitals, and other health care delivery systems for the purpose of training undergraduate medical students and residents in the specialty of family practice.

This bill would appropriate \$2,432,500 to the State Department of Health for expenditure during the 1978-79, 1979-80, 1980-81, and 1981-82 fiscal years for carrying out such existing law, with \$2,332,500 for contract purposes and \$100,000 for administrative expenses.

Ch. 1163 (AB 452) Keene. Forest resources.

The Z'berg-Nejedly Forest Practice Act of 1973 governs the conduct of forest practices on timberland. Under existing law there is no requirement for preparation of a formal assessment of the overall forest resources of the state or for preparation of a forest resource program

This bill would require the Director of Forestry, under policy guidance from the State Board of Forestry, to prepare and submit to the board a forest resource assessment and analysis, which would include specified elements, by July 1, 1979, and to present an updated assessment by January 1, 1987, and January 1 of each fifth year thereafter. The bill would also require the board to prepare, based on a review of the assessment, a forest resource policy statement containing specified elements.

The bill would make legislative findings and declarations in such connection, would require the board to biennially determine state needs for forest management research and submit specified reports in such connection to the Governor and the Legislature, would authorize the director to prepare and implement a forest management information storage and retrieval program regarding forest land conditions in the state, would repeal certain related existing powers and duties of the board, and would enact other related provisions.

It would appropriate \$450,000 † to the Department of Forestry for expenditure, as specified, for purposes of the provisions of the bill.

Ch. 1164 (SB 40) Roberti Business and industrial development corporations.

Existing law provides for the organization of business and industrial development corporations, but under existing law they are not licensed by any state agency.

Existing law requires such corporations to file an audit report with the Superintendent of Banks at the close of each calendar year, and also requires them to file any additional reports that may be required by the superintendent, and permits the superintendent to examine them

This bill repeals existing law and enacts comprehensive provisions for the organization of business and industrial development corporations. It provides that such corporations shall be subject to the supervision, examination, licensure, and control of the Superintendent of Banks.

This bill would also provide that it makes no appropriation for disbursement to local agencies for costs incurred by them pursuant to its provisions.

† Appropriation reduced to \$400,500 by action of the Governor

Ch. 1165 (SB 173) Campbell. Bank and corporation taxes.

Under existing provisions of the California Bank and Corporation Tax Law, organizations doing business in California or deriving income from California sources are subject to the imposition of taxes based on their income.

This bill would allow the Franchise Tax Board to make a determination that a corporation is not doing business in this state or deriving income from sources within this state if its only activities are within specified limits.

This bill would take effect immediately as a tax levy, but its provisions would be applied in the computation of taxes for income years beginning on or after January 1, 1977.

Ch. 1166 (SB 202) Stull. School districts: transferring territory.

Under existing law, a proposed transfer of inhabited territory from one elementary school district to another elementary school district or from one unified school district to another unified district may be opposed by the governing board of either the transferor or transferee district. If either such district files written opposition to the proposed transfer, the transfer may take place only if approved by the voters.

This bill would require that the election be held in the entire territory of the school district which opposes the transfer.

This bill would specify that the county superintendent of schools shall call, hold, and conduct elections of such proposed transfers of inhabited territory of such districts.

Ch. 1167 (SB 292) Holmdahl. Mentally disordered persons.

Existing law does not accommodate the filing of criminal charges by mentally disordered or developmentally disabled persons.

This bill would permit the legal guardian, conservator, or any other person on behalf of a mentally disordered or developmentally disabled person to file a report with an appropriate law enforcement agency on behalf of such mentally disordered or developmentally disabled person where such person is reasonably believed to be the victim of a crime, under specified circumstances. The district attorney would be authorized under certain conditions to file a criminal complaint in such cases.

Ch. 1168 (SB 311) P Carpenter. Workers' compensation: psychologists.

Existing law defines physician, for purposes of workers' compensation law, to include licensed physicians and surgeons, optometrists, dentists, podiatrists, and osteopathic and chiropractic practitioners.

This bill would, in addition, include licensed psychologists with a doctorate degree in psychology and either 2 years clinical experience in a recognized health setting, or meeting specified standards, as being within the definition of physician for such purposes, and would require that when treatment or evaluation for an injury is provided by a psychologist, provision be made for appropriate medical collaboration upon request of the employer or the insurer.

This bill would also provide that there are no state-mandated local costs in the bill that require reimbursement under Section 2231, Revenue and Taxation Code, for a specified reason.

Ch. 1169 (SB 666) Garamendi. Agricultural commodities: Office of International Trade.

There is no law providing for a state agency having responsibility for promoting the export of agricultural commodities produced in this state.

This bill would impose such a responsibility on the Office of International Trade of the Department of Economic and Business Development, created by Chapter 345 of the Statutes of 1977, which would have responsibility for forecasting domestic and foreign demand for agricultural products, provide special assistance to producers and firms engaged in the marketing of agricultural products in this state to develop overseas markets, collecting, evaluating, interpreting, and disseminating market information, and communicating with foreign, national, state, and local agencies, and public and private persons, associations, and corporations regarding the marketing of California's agricultural products in international trade. It would require the office to report annually to the Governor and Legislature regarding the efforts and activities of the office and

require the office to utilize statistical information prepared by the Marketing Services Division of the Department of Food and Agriculture in performing such additional responsibilities.

The bill would appropriate \$50,000 to the office for expenditure from January 1, 1978, to June 30, 1978, for the purpose of the bill.

Ch. 1170 (SB 632) Garamendi. Farm products: commission merchants: brokers.

The existing law, generally, provides for the licensing of brokers, cash buyers, dealers, and commission merchants, regulates certain designated activities in connection with the sale and purchase of farm products between producers or consignors and such licensees, requires the keeping of certain records, and provides for civil and criminal penalties for violating such provisions.

This bill would, in addition, prevent until January 1, 1981, the charging against a consignor's account for a downward price adjustment or a reduction in quantity of farm product delivered due to breach of contract, unless the commission merchant has a designated federal-state inspection certificate indicating the type and extent of the substandard condition of the lot, as defined, involved in such breach of contract. It would not preclude until January 1, 1981, a consignor from agreeing to a downward price adjustment or a reduction in the quantity of farm products delivered and waiving the right to compensation under prescribed circumstances. The bill would permit, until January 1, 1981, under prescribed conditions, the use of designated private third-party inspection or an inspection by 2 or more disinterested parties, with prescribed qualifications, as a substitute for such a federal-state inspection certificate.

It would require a licensee operating as a commission merchant to notify the consignor of any adjustment on a transaction and to provide reasons for such an adjustment, as prescribed. The bill would authorize the director to disallow, to a commission merchant, any adjustment charged back to a consignor, upon prescribed determination.

This bill would also revise the requirements as to the issuance, retention, and content of written memorandums required of licensees operating as brokers when negotiating the sale of farm products. It would also prohibit such licensee from altering the terms of the transaction, as specified, on his original memorandums of sale without the consent of both parties to the transaction and provide a method for correcting memorandums and for transmitting it to buyer and seller.

Also, the bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be an appropriation made by this bill for a specified reason.

Ch. 1171 (SB 548) Stiern. Barbers.

Under existing law there is no application fee required in connection with various applications made to the State Board of Barber Examiners.

This bill would provide for an application fee to be set by the State Board of Barber Examiners for applicants for certificates of registration as an instructor in a barber college, and special certificates in barbering, and would provide for payment of such fees. It would also provide for an application fee to be set by the board at not more than \$100 for applicants for registration of a barber college.

Existing law provides for various other fees to be paid to the State Board of Barber Examiners. This bill would in general increase such fees, or give the board authority to increase such fees. Among others, various renewal fees would be increased from a maximum of \$20 to a maximum of \$30. Various examination fees would be changed from \$20 to a maximum of \$40. An inspection fee would be increased from a maximum of \$35 to a maximum of \$50; and, a certificate fee would be increased from a maximum of \$10 to \$15. The bill would also increase various fees required of barber colleges.

Under existing law there is an enrollment fee of not more than \$10 for barber college students. Under existing law, certain special students are not required to pay this fee.

This bill would increase the maximum enrollment fee to \$20, and would eliminate the exemption for certain special students.

The bill also would specify that certain fees must be remitted with certain applications, or in order to be eligible for certain certificates. It also would specify that if an applicant fails to appear for the examination, the board may assess a penalty fee not to exceed \$5 in order for the applicant to take another examination.

The bill would also make additional changes in Section 6550.5 of the Business and Professions Code, proposed by Assembly Bill 688, to be operative only if Assembly Bill 688 and this bill are both chaptered, and this bill is chaptered after Assembly Bill 688.

This act would take effect immediately as an urgency statute.

Ch 1172 (SB 520) Foran. Workers' compensation: medical treatment

Existing law provides that, after 30 days from the date an injury compensable under the workers' compensation insurance law is reported, the injured employee may be treated by a physician of his own choice or at a facility of his own choice within a reasonable geographic area.

This bill would, instead, specify that if the employee has notified his employer in writing prior to the date of injury that he has a personal physician, as defined, the employee shall have the right to be treated by such physician from the date of injury.

This bill would also incorporate changes to Section 4600 of the Labor Code proposed by AB 1346 and chaptered as Chapter 442 of the Statutes of 1977.

Ch 1173 (SB 687) Zenovich. Schools: institutional children: nonimmigrant children—noncitizen children without immigration status.

Under current law, a school district which provides education to a pupil who lives in certain kinds of children's institutions, family homes, or hospitals is entitled to reimbursement from the county in which the child resided prior to his admission to the institution or hospital. Further, when a school district provides education to nonimmigrant children or noncitizen children without immigration status, the county in which the district is located must likewise reimburse the district. The funds for the reimbursement are, in both cases, raised from the proceeds of a countywide tax.

This bill would separate the two general categories of children. This bill would prescribe the allowance to be paid by the county of residence of the pupil to the district or county superintendent of schools educating such pupils. Such allowance would be based generally upon the local property tax revenues required to educate such pupils.

This bill would also reduce the revenue limit of the district by the amount, if any, by which the tuition received from the county exceeds the district's share of the revenue limit.

This bill would authorize any school district that provided education in kindergarten or grades 1 through 12 for nonimmigrant children or noncitizen children without immigration status during the 1976-77 school year to increase its revenue limits for conducting programs for such children.

Ch 1174 (SB 820) Presley. Schoolbuses: preventive maintenance inspection guide: appropriation for inspections.

Under existing law, as amended by Chapter 406 of the Statutes of 1977, an urgency statute, the Department of the California Highway Patrol is required to provide, by regulation, for a preventive maintenance inspection guide for weekly use by operators of schoolbuses and specified vehicles transporting school pupils.

This bill would appropriate \$1,000,000 from the Driver Training Penalty Assessment Fund to the General Fund and from the General Fund to the Superintendent of Public Instruction for allocation to school districts and county superintendents of schools for reimbursement for increased approved capital outlay costs for equipment and facilities for such inspections. Such funds would be available for encumbrance until January 1, 1979. The bill would also make a declaration of legislative findings and intent and make a nonsubstantive change.

Ch 1175 (SB 700) Robert. Counties: formation.

Existing law provides that in order to initiate proceedings for the formation of a new county, at least 25% of the qualified electors of the proposed county must sign the petition and requires the clerk of the principal county to examine such petition to determine whether it has the requisite number of signatures.

This bill would retain such provisions where the population of the proposed county is 5% or more of the total population of the affected counties, and with respect to where the population of the proposed county is less than 5% of the total population of the affected counties would, in addition, require that at least 10% of the qualified electors

in the balance of the affected counties must also sign such petition, and this would increase the number of signatures to be examined by clerks

Existing law requires the board of supervisors of each affected county, upon receiving the county formation commission's determinations, to call an election in each affected county on the next established election date which is not less than 74 days after the receipt of the commission's determinations.

This bill would provide that such election shall be consolidated with either the next statewide primary or statewide general election.

Existing law provides that a petition initiating proceedings to form a new county must be signed by not less than 25% of the qualified electors in the territory of the proposed county and that the clerk of the principal county must examine such a petition to determine whether it has the requisite number of signatures.

Existing Section 2231 of the Revenue and Taxation Code provides that the state shall reimburse local agencies for costs mandated by laws enacted after January 1, 1973.

This bill would provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to the bill for a specified reason.

Ch. 1176 (SB 942) Rains. Immunizations: communicable diseases.

Under existing law, persons are required to be immunized against poliomyelitis, measles, diphtheria, pertussis, and tetanus prior to entry into schools and other institutions, but the requirements governing immunization for any particular type of disease vary

This bill would repeal such existing law. The bill would enact uniform requirements for immunization of persons against such diseases prior to entry into any private or public elementary or secondary school or other specified institutions. The State Department of Health would have authority to adopt necessary rules and regulations to carry out the act. The bill would require that immunizations be administered and records be kept in accordance with the regulations of the state department.

The bill would provide there would be no appropriation for, or reimbursement of, local agencies for costs incurred by them pursuant to the bill for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 1177 (SB 933) Dunlap. Housing finance

The Zenovich-Moscone-Chacon Housing and Home Finance Act contains several different authorizations for public financing of housing for persons and families of low and moderate income. Most of such financing programs are administered by the California Housing Finance Agency. Such act authorizes the Department of Housing and Community Development to make "predevelopment loans" from the Housing Predevelopment Loan Fund to local governmental agencies, nonprofit corporations, and cooperative housing corporations which are stock cooperatives.

This bill would authorize the department to conduct a new program of loans to nonprofit corporations, stock cooperatives, and local agencies for prescribed preliminary costs incurred in the development of assisted housing for persons of low income. The bill would create an Urban Housing Development Loan Fund, which would be continually appropriated to the department for making such loans. The bill would provide for the conditions, repayment, and security of such loans. This bill would appropriate \$535,000 from the General Fund for transfer to the Urban Housing Development Loan Fund created by it, with \$35,000 of such appropriation allocated to the department for administrative expenses.

This bill would require the Secretary of the Business and Transportation Agency to submit prescribed written findings concerning the loan program to the Legislature by January 31, 1980, and would permit the secretary to terminate the loan program as of January 31, 1980, if he makes certain negative findings. In a case of such negative findings, the loan fund would be dissolved on January 1, 1981, and all moneys therein paid into the General Fund. The bill would require redeposit in the General Fund of moneys in the loan fund which are appropriated and transferred from the General Fund pursuant to this act, but unencumbered as of January 1, 1981.

This bill would make numbering changes necessary to conform to the renumbering of the Zenovich-Moscone-Chacon Housing and Home Finance Act proposed by SB 1123 if SB 1123 is chaptered.

Ch. 1178 (SB 1029) Dunlap. Open-space easements.

Existing law provides for the acquisition by a county or city of an open-space easement under certain terms and conditions.

This bill would provide for the acquisition of an open-space easement by a nonprofit organization, as defined, under specified circumstances and would provide for approval of such an open-space easement by a county or city.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs mandated on them pursuant to this bill, as specified in Section 2231 of the Revenue and Taxation Code.

Ch. 1179 (SB 1077) D. Carpenter. State School Building Aid: site and plans and specifications apportionments.

Under existing law apportionments made under the State School Building Aid Law of 1932 for the purchase of a school site or for plans and specifications are repaid in a manner different from apportionments for the construction of a school building, in which part of the debt is forgiven.

This bill would specify that when apportionments are made for the purchase of a site or plans and specifications, and the district, after January 1, 1977, begins the construction on the site of facilities justified under provisions relating to maximum building areas, or uses the plans and specifications for construction, using funds other than from an apportionment, then the site or plan apportionment shall be treated as if it had been made for construction, so that part of the debt may be forgiven.

This bill would take effect immediately as an urgency statute.

Ch. 1180 (SB 1257) Rodda. Appropriation: State Board of Control.

This bill would appropriate \$2,775,718.04 from specified state funds to the State Board of Control to pay the claims of the Secretary of the State Board of Control.

The bill would take effect immediately as an urgency statute.

Ch. 1181 (SB 308) Nejedly. Native plant protection.

Under existing law, the Department of Fish and Game and the Fish and Game Commission are vested with various powers pertaining to the conservation, propagation, protection, and perpetuation of endangered or rare birds, mammals, amphibia, fish, and reptiles. Existing law also creates the Native Species Conservation and Enhancement Account in the Fish and Game Preservation Fund, derived from donations for the support of nongame species conservation and enhancement programs. The Fish and Game Preservation Fund is continuously appropriated to the Department of Fish and Game.

Under existing law, it is generally unlawful to willfully or negligently cut, destroy, mutilate, or remove any tree or shrub, or other specified plants, growing upon state or county highway rights-of-way, or growing upon public land or upon land not one's own, without a written permit from the owner of the land signed by such owner or his authorized agent or to knowingly sell, offer, or expose for sale, or transport for sale, any such tree, shrub, or plant, so cut or removed from state or county highway rights-of-way, or removed from public land or from land not owned by the person who cut or removed the tree, shrub, or plant without such written permit.

This bill would require the department to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare, as defined. The bill would require the department to periodically inventory threatened native plants, and to biennially report, as specified, commencing January 1, 1980, on such inventory to the Governor and the Legislature. The bill would authorize the commission, after public hearing, to designate endangered and rare native plants, and require the department, to the extent the location of such plants is known, to notify the owner of such land and provide specified information. The bill would declare legislative intent and specify related powers of the department. The bill would also permit donations to the Native Species Conservation and Enhancement Account, and the expenditure of funds in such account, for the support of native plant species conservation and enhancement programs.

The bill would make it unlawful, except as specified, to import into this state, or take, possess, or sell within this state, any native plant, or any part or product thereof, that

the Fish and Game Commission determines to be endangered or rare and would authorize the commission to require a permit for the taking, possession, propagation, transportation, exportation, importation, or sale of any such plants. The bill would exempt persons engaged in the production, storage, sale, delivery, or transportation of nursery stock, where such activities involve rare or endangered plants which are not obtained from stock growing in a wild, uncultivated state. The bill would exempt specified activities, but would require any owner of land who has been notified by the commission that a rare or endangered plant is growing on his land to notify the department at least 10 days in advance of changing the land use to allow for salvage of such plant.

The bill would require the regulations adopted by state agencies having jurisdiction over wilderness areas within the California wilderness preservation system to include provisions to protect endangered or rare native plant and animal species.

The bill would provide that there shall be no reimbursement for any state-mandated local program for a specified reason.

The bill would specify various enforcement powers of employees of the department in such connection, and would vest the power of a peace officer as to such enforcement in any person charged with enforcement of the provision relating to endangered or rare native plants.

The bill would appropriate \$75,000 to the department for the purposes of the act during fiscal year 1977-78.

Ch 1182 (SB 838) Russell Interpreter for the deaf

Existing law requires in any criminal action where the defendant is a deaf person and in certain other proceedings where the mental condition of a deaf person is in issue that all of such proceedings be interpreted for him by a qualified interpreter. Existing law also requires that the interpreter be paid a reasonable sum for such services in an amount determined by the court.

This bill would require the use of a qualified interpreter in any criminal action, including any juvenile case or proceeding, or any proceeding to determine the mental competency of a person, or in any administrative hearing, where a party or witness to such a proceeding is a deaf person and such deaf person is required to be present.

This bill would define the term "qualified interpreter" for purposes of such provision, and it would require that such interpreters be paid, in addition to actual travel costs, the prevailing rate paid to persons employed by the court to provide other interpreter services.

It would require a list of recommended interpreters to be established by the superior court in each county.

It would also limit the admissibility of evidence received from a deaf person by a peace officer or other person having prosecutorial functions in any criminal or quasi-criminal proceeding.

The bill would provide that no appropriation or reimbursement is made to local agencies for costs incurred by them pursuant to this bill because of a specified reason.

Ch 1183 (SB 514) Marks. Property taxation rehabilitated property

Existing law authorizes local agencies to impose property taxes, within specified limitations, and exempts certain types of property from taxation pursuant to provisions of the California Constitution.

This bill would exempt from taxation, for a period of 5 fiscal years, that portion of the full value of a qualified dwelling which exceeds the full value of such dwelling prior to the rehabilitation of such dwelling not to exceed \$15,000 of the full value of each dwelling unit.

The bill would also provide that neither an appropriation is made nor an obligation created for the reimbursement by the state to any local agency for any revenue lost by it as a result of the exemption of property from taxation or for costs incurred by such agency pursuant to this act for a specified reason.

This bill would become operative only if Senate Constitutional Amendment 29 of the 1977-78 Regular Session of the Legislature is approved by the voters.

Ch. 1184 (AB 591) Vasconcellos Community colleges: board of governors and governing boards: student members; high school governing board: student members

(1) Under existing law, the Board of Governors of the California Community Colleges consists of 15 members appointed by the Governor with the advice and consent of $\frac{2}{3}$ of the Senate who serve for 4-year terms.

This bill would require that 1 of the members be appointed to the board by the Governor alone and be a full-time or part-time student in good standing enrolled in a community college at the time of appointment and serve for a term of 1 year commencing October 15

(2) Existing law does not provide for a procedure whereby a nonvoting student member may be appointed to the governing board of each community college district

This bill would require the governing board of each community college district to include one or more nonvoting student members chosen by the students on the board pursuant to procedures prescribed by the governing board. The student member would serve for a 1-year term commencing on July 1 and would have the right to attend all governing board meetings, except student members would not have the right, or be afforded the opportunity, to attend executive sessions

The bill would entitle student members to the same travel allowances as voting members, but would not allow compensation for attendance at board meetings to which regular members may be entitled.

(3) Existing law provides for a nonvoting student member on governing boards of school districts maintaining high schools

This bill would provide that there may be more than one of such members.

(4) This bill would also make in Section 71001 of the Education Code additional changes reflecting the basic concept of the changes proposed by AB 1491 to Section 71001. Such changes would provide, for the student member of the Board of Governors of the California Community Colleges, a transitional term and then 1-year terms for such student member commencing October 15, 1978. This bill would also prescribe a system whereby all other members would ultimately serve for 6-year terms, with 2 such terms commencing in 1982, 1983, 1985, and 1986, and 3 such terms commencing in 1984 and 1987, and would provide, for such purposes, specified 1-time transitional terms of varying lengths commencing in January of each year through 1981. These changes would be operative only if this bill and AB 1491 are chaptered and become effective January 1, 1978, and this bill is chaptered after AB 1491.

(5) This bill would specify that there is no reimbursement or appropriation made by this bill pursuant to Section 2231 of the Revenue and Taxation Code for a specified reason.

Ch. 1185 (AB 515) Bates Pricing consumer commodities

Under existing law, there are no specific penalties for violation of the provisions of the Fair Packaging and Labeling Act other than those relating to automatic checkout systems.

This bill would make the violation of any of the provisions of that act, except those provisions requiring clearly readable prices on certain items sold by automatic checkout systems, a misdemeanor.

The bill would also provide that no appropriation is made for costs incurred by local agencies under the bill for a specified reason.

Ch. 1186 (AB 457) Deddeh Public Employees' Retirement System benefits

Existing Public Employees' Retirement Law provides that disability retirement shall not become effective prior to the expiration of leave of absence with compensation unless the member applies or consents to an earlier date of retirement. This bill would define benefits received under nonindustrial disability insurance as "a leave of absence with compensation" for such purposes, thereby postponing the effective date of disability retirement until after termination of the insurance benefits.

The bill would also require the allowances of state members, other than school members who retired prior to January 1, 1976, to be increased by an additional specified percentage on July 1, 1977. The bill would prescribe increases in employer contributions to the Public Employees' Retirement Fund.

Existing Public Employees' Retirement Law states that provisions relating to retire-

ment allowance cost-of-living adjustments were enacted to preserve the purchasing power of benefits and present provisions of law limit such adjustments for former state employees to 2% per year.

This bill would require the system's board of administration to annually report to the Governor and the Legislature on the extent to which the cost-of-living adjustment provisions are being achieved. The existing Public Employees' Retirement Law provides for the continuance of a portion of member allowances to survivors of deceased state miscellaneous members who were not coordinated with federal social security and who retired after July 1, 1974, and for a continuance of a portion of member allowances to survivors of such members who were coordinated with federal social security and who retired after July 1, 1975.

This bill would extend such allowances to survivors of retired state miscellaneous members, other than school members, who retired prior to such dates.

Existing law requires a reduction of the retirement allowance of retired state miscellaneous members who elected an optional settlement prior to the enactment of provisions providing such survivor benefits without such reduction.

This bill would provide for a 15% increase, with appropriate cost-of-living adjustments and base allowance increases, in the retirement allowances of retired state miscellaneous members, other than school members, who were coordinated with federal social security, elected optional settlements, and retired prior to July 1, 1975, and those members whose service was not covered by federal social security, elected optional settlements, and retired prior to July 1, 1974.

Existing law requires the state to pay specified amounts of the cost of basic and related major medical plans for state officers and employees and their families. The state's contributions are appropriated monthly.

The bill would require the board of administration of the Public Employees' Retirement System or an employer to pay directly to an annuitant who is enrolled both in the state supplemental plan and medicare, the amount of the standard charge for the insurance portion of medicare, except to the extent such payment would exceed the difference between the maximum employer contribution and the amount contributed by the employer, and except where such payment would be less than \$1. The provision would be applicable only to annuitants who were state officers and employees prior to their retirement and their family members.

The bill would appropriate \$10,781,000 from various funds for the purposes of the increased benefits.

The bill would take effect immediately as an urgency statute.

Ch 1187 (SB 610) Dunlap. Discrimination in housing

The existing provisions of the so-called Rumford Fair Housing Act make the practice of discrimination because of race, color, religion, sex, marital status, national origin, or ancestry in housing accommodations unlawful; empower the State Fair Employment Practice Commission to prevent violations of the act; and give the commission the duty to receive, investigate, and pass upon verified complaints alleging discrimination in housing accommodations and to serve a cease and desist order and require affirmative action when it finds an unlawful discrimination practice. Under existing law, publicly assisted housing accommodations and all other residential dwellings containing more than 4 units are subject to the act.

This bill would define the terms "conciliation council" and "discrimination," revise the term "affirmative action," and delete the terms "discriminate," "publicly assisted housing accommodation," and "multiple dwelling" in such act. The bill would expand coverage of housing accommodations subject to the act to all residential dwellings except portions of an owner-occupied single-family house which is rented or leased to one person who lives in the household.

This bill would make it unlawful for any person to make, print, or publish any notice, statement, or advertisement indicating any preference, limitation, or discrimination in sale or rental of housing accommodations because of race, color, religion, sex, marital status, national origin, or ancestry.

Under existing provisions of the act, the commission is empowered to prevent violations of the act.

This bill would give the commission power to prevent and eliminate discrimination in housing as provided in the act.

Under existing law, any person who makes or files a complaint under the act is required to waive any and all rights and claims under Section 52 of the Civil Code.

This bill would permit a person who has filed a claim under the act to pursue judicial relief under Section 52 of the Civil Code, but would require the commission to terminate proceedings upon a final judgment in a civil action under Section 52. The Attorney General and the Chief of the Division of Fair Employment Practices of the Department of Industrial Relations would be authorized to make, sign, and file complaints citing practices which appear to violate the act. The bill would require the commission to notify a person filing a complaint when no action is going to be taken with respect to a complaint and would authorize such person to bring a civil action in the superior court with respect to the complaint in such cases.

Under existing law, the commission, in taking affirmative action under the act, may order the payment of damages not exceeding \$1,000 as a remedy only if it cannot effectuate the sale or rental of the housing accommodation or a like housing accommodation to the aggrieved person.

This bill would authorize the commission to take such action as the commission determines will effectuate the act including the sale or rental of the housing accommodation or a like housing accommodation, or provision of financial assistance, or payment of actual and punitive damages not exceeding \$1,000, or other affirmative or prospective relief.

This bill would make additional changes in Sections 35710, 35730, 35730.5, 35731, 35736, and 35738 of the Health and Safety Code, proposed by AB 738, to be operative only if this bill and AB 738 are both chaptered and effective January 1, 1978, and this bill is chaptered after AB 738.

Ch. 1188 (AB 738) Lockyer. Labor: discrimination in employment

Existing law provides the Fair Employment Practice Commission with specified functions, powers, and duties relating generally to receiving, investigating, and passing upon complaints alleging discrimination in employment and housing.

This bill would, instead, provide that the Division of Fair Employment Practices shall have specified functions, powers, and duties relating to investigating and prosecuting complaints alleging discrimination in employment and in housing, with the commission hearing such complaints and having certain review and advisory functions.

This bill would make additional changes in Sections 35710, 35730, 35730.5, 35730.6, 35731, 35732, 35736, and 35738, Health and Safety Code, proposed by SB 610, to be operative only if SB 610 and this bill are both chaptered.

Ch. 1189 (SB 592) Robbins. State vehicular recreation area.

Pursuant to existing law the Off-Highway Vehicle Fund is continuously appropriated to the Department of Parks and Recreation for, among other purposes, the planning, acquisition, development, construction, maintenance, administration, and conservation of vehicular recreation areas and trails. Existing law makes no provision for the acquisition of property in the vicinity of Gorman in the Counties of Los Angeles and Ventura, for state park purposes.

This bill would authorize the Director of General Services to acquire, on behalf of the state, a fee or lesser interest in real and personal property located in Los Angeles and Ventura Counties in the vicinity of Gorman and commonly known as Hungry Valley that would be designated by the Director of Parks and Recreation and transferred to the jurisdiction of the Department of Parks and Recreation for administration as a unit of the state park system. The bill would specify the manner in which the property is to be acquired, developed, and administered as a state vehicular recreation area. Further, the bill would authorize the 51st District Agricultural Association to propose a name for the unit and to use the unit, with the director's approval, for a fair oriented to off-highway vehicles.

In addition, on the effective date of this bill, this bill would amend provisions added by AB 1098, an urgency statute, to incorporate provisions proposed by this bill, if AB 1098 is chaptered on or before January 1, 1978.

Further, this bill would amend provisions of existing law relating to a state vehicular recreation area near Ocotillo Wells to exempt, under specified circumstances, the holder of a reservation of oil and mineral rights in property granted or leased for such area from

the prohibition of a provision of existing law against disturbing the surface of such property and certain improvements thereon by prospecting for or extracting oil and minerals. This bill would appropriate \$50,690 from the Fair and Exposition Fund to the 51st District Agricultural Association for expenditure for any purpose authorized by law.

Ch 1190 (AB 1069) Coggin. Pregnancy: parent responsibility.

(1) Under the California Medical Assistance Program (Medi-Cal), a minor's parents cannot be held financially responsible for health care or related services to which the minor may consent without parental consent. Under the Aid to Families with Dependent Children Program (AFDC) until December 31, 1977, a minor's parents cannot be held financially responsible for maternity home care or related services, including social service counseling, to which the minor may consent without parental consent. Parental consent is not necessary to authorize the furnishing of hospital, medical or surgical care related to the prevention or treatment of pregnancy to an unmarried minor.

This bill would provide that the parents of a person under 21 years of age who is domiciled in this state cannot be held financially responsible for maternity home care, social service counseling, or other services related to pregnancy of the person which are provided by a licensed maternity home pursuant to this bill. The bill would expressly include such services among those services for which the parents of a person under 21 years of age cannot be held responsible under Medi-Cal. This bill would make various statements of legislative intent and policy regarding unmarried persons under 21 years of age. It also would include provisions for state reimbursement of licensed nonprofit maternity homes for care and services provided to unmarried pregnant persons under 21 years of age who are domiciled in this state.

(2) Under existing law, a county welfare department in a demonstration county is authorized to enter into a voluntary placement agreement with the parents or guardians of a minor for out-of-home placement of the minor where there are no reasonable means acceptable to the parents or guardians which would enable the minor to remain in their physical custody.

This bill would prohibit such department from requiring a pregnant minor to be adjudged a dependent child of the court or require the parents or guardians to consent to such action as a condition to agreeing to place the minor in a maternity home pursuant to a voluntary placement agreement.

The bill also would appropriate to the State Department of Health \$1,200,000 for the 1977-78 fiscal year and \$2,400,000 for each fiscal year thereafter to carry out its provisions.

Ch. 1191 (AB 246) Berman. Psychoanalysts.

Existing law exempts members of recognized professional groups licensed to practice in the State of California from the provisions of the Psychology Licensing Law when doing work of a psychological nature consistent with the law governing their respective professions, provided they do not hold themselves out to the public as psychologists or state or imply that they are licensed to practice psychology.

This bill would authorize students and graduates of specified psychoanalytic institutes or equivalent institutes approved by the Division of Allied Health Professions of the Board of Medical Quality Assurance to engage in psychoanalysis and to hold themselves out to the public as psychoanalysts.

The bill would require such persons to pass an examination and to register with the division and it would authorize the division to suspend or revoke the exemption of such persons for specified unprofessional conduct.

Under existing laws moneys collected pursuant to the Medical Practice Act are deposited in the Contingent Fund of the Board of Medical Quality Assurance and are continuously appropriated to such board.

The fees provided in this bill would increase the moneys deposited in such continuously appropriated fund. The bill provides for biennial renewal of registrations.

Ch. 1192 (AB 1110) Keene. Milk and dairy products: marketing: pooling.

(1) The existing law, generally, under the fluid milk and cream stabilization and marketing provisions, provides for the regulation of marketing of fluid milk and fluid cream by the director and includes the authorization for the director to prescribe the minimum prices to be paid by distributors for fluid milk or cream and minimum wholesale prices for fluid milk or fluid cream.

This bill would, very generally, revise and restate the existing provisions, with substantive changes, and do all of the following:

- (a) Redefine the term "market milk" for purposes of the Milk and Milk Products Act.
 - (b) Delete the provisions authorizing the director to establish and regulate minimum wholesale prices of fluid milk or fluid cream, but authorize temporary minimum prices under specified conditions and make various related changes
 - (c) Require the director to establish minimum prices to be paid by handlers, as defined, for market milk and market cream, as defined for purposes of such provisions, to producers in established marketing areas, authorize the director to suspend, and require him to terminate, minimum retail prices in effect in any marketing area as specified, and exclude flavored milk products or market half-and-half which is ultra-pasteurized and packaged in hermetically sealed containers from the provisions designating class 1 milk under such provisions.
 - (d) Revise the provisions designating the factors to be considered in establishing minimum prices of market milk to be paid by handlers to producers and the provisions authorizing the establishment of prices for components of market milk in respective classes of milk.
 - (e) Authorize the director to establish different minimum prices to be paid by handlers to producers depending on certain specified conditions in any marketing area.
 - (f) Authorize any stabilization and marketing plan to provide for minimum charges for various services performed or rendered by a nonprofit cooperative association respecting class 1 market milk sold or delivered to another handler
 - (g) Make various modifications in the unfair practices provisions applicable to distributors.
 - (h) Delete the provisions authorizing the director to appoint a local advisory board for any marketing area to assist and advise him in matters relating to milk stabilization and marketing provisions.
 - (i) Delete the provisions requiring the payment of class 2 milk prices, as prescribed, to producers for milk used for the purpose of freezing and holding in cold storage.
 - (j) Delete the provisions providing for distributors' licenses
 - (k) Revise the provisions establishing bond requirements for distributors who purchase market milk, and revise the provisions establishing the procedure for recovering claims on such bonds.
 - (l) Delete the provisions establishing designated fees and rate of assessments that distributors who purchase or handle fluid milk or fluid cream are required to pay to the director.
 - (m) Provide for payment of prescribed fees by handlers, which shall be deducted as assessments from payments made to producers for market milk, and provide for penalty for failure to pay such fees, as required.
 - (n) Delete the provisions authorizing designated milk sales stimulation and consumer educational programs.
 - (o) Prescribe the penalties for violating milk marketing and stabilization provisions, any regulations adopted pursuant to such provisions, or any provision of a stabilization and marketing plan, and revise the provisions establishing civil liability for any such violation
 - (p) Provide for licensing of handlers.
 - (q) Delete the provisions requiring every manufacturer subject to the provisions regulating marketing of milk and other dairy products to pay a designated fee to the director, on all milk fat contained in the ice cream mix and ice milk mix which is manufactured by him.
- (2) The Gonsalves Milk Pooling Act provides for the establishment of a pooling plan for fluid milk, including provisions for establishment of pool quota for producers and for qualifying as a producer-distributor, for purposes of operating outside the pool.
- This bill would require the Director of Food and Agriculture on July 1, 1978, to issue new pool quota to bring specified holders of quota of that date to the equalization point on both the fat and solids-not-fat components of quota. Subsequent to July 1, 1978, the director would be required to allocate new class I usage according to a specified formula including allocation of 40% of such usage to producers who are equal to or above the equalization point
- This bill would change the designation from producer-distributor to producer-handler

and would revise the conditions under which producer-handlers who originally elected to operate outside of the pool to allow up to 25%, rather than 5%, of milk sold to be purchased from others, except that any purchases exceeding 5% of such sales are required to be from pool sources, and to allow 50%, rather than 66⅔%, to be for retail sales for its own account. It would authorize a producer-handler or producer of goats milk to be excluded from the plan if daily sales are less than 500, rather than 200, gallons for class I purposes and provide that any producer-handler electing to become a part of the pool shall have the right to various prescribed deductions, applicable to such producer-handler, from its own class I sales, rather than the right to deduct the amount of such quota at the time of such election from his own class I sales, before being required to account to the pool. It would allow any producer-handler who qualifies under such provisions for exclusion from the pool, and is so excluded, to elect during designated period of any year to enter the pool subject to designated provisions. This bill would also provide for allocation of a pool quota to any producer-handler who qualifies for exclusion from the pool and who later enters the pool.

(3) Provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be an appropriation made by this bill for a specified reason.

Ch 1193 (AB 120) Bane Political reform

(1) Existing law requires all state and local government officials and candidates who are required to file financial disclosure statements to file such statements with their agencies and it requires the transmission of certain of these statements to the appropriate code reviewing body.

This bill would require certain candidates to file their financial disclosure statements with the same officer designated for the filing of campaign statements. It would also designate the Fair Political Practices Commission, instead of the public official's agency, as the filing officer for those financial disclosure statements forwarded to the commission.

(2) Existing law requires each political candidate and each political committee supporting or opposing a candidate or ballot measure to file in connection with any election 2 preelection campaign statements and 1 postelection campaign statement by specified deadlines.

This bill would change the deadlines and closing dates for those statements required to be filed in connection with elections held after the first Tuesday after the first Monday in June or November in even-numbered years. It would also require committees supporting or opposing ballot measures to file statements in accordance with the same schedule applicable to committees supporting or opposing candidates. This bill would change certain filing requirements for candidates for county central committee.

This bill would also change the filing dates for campaign statements filed in connection with certain special, general, and runoff elections.

(3) Existing law requires a candidate for certain state offices and certain local offices to file a financial disclosure statement with his declaration of candidacy. Such statements are also required of such officers within 30 days of assuming office.

This bill would delete such requirements if the candidate or officeholder has filed, within 60 days prior to the declaration of his candidacy or assumption of office, a financial disclosure statement for the same jurisdiction. This bill also makes some technical changes in financial disclosure filing requirements for elected state officers who assume office during December or January.

(4) This bill deletes language specifying that, for certain officers completing a term of office and beginning a new term, the day on which the new term begins shall be deemed an anniversary of assuming office.

(5) Existing law requires the campaign disclosure statements of candidates for and persons holding any elective office which is voted for in more than one county and for which no specific provision is made, and committees supporting such candidates, to be filed with the clerk of the county having the largest population and the clerk of the county in which the candidate or officeholder resides.

This bill would remove candidates for and persons holding the office of court of appeal justice and committees supporting the same from such requirements and would instead impose upon them the same filing requirements as are applicable to candidates for and

persons holding the office of superior court judge and committees supporting such candidates.

(6) Existing law provides that a candidate for reelection to judicial office whose name does not appear on the ballot shall file his campaign statement within 17 days following the date of the general election.

This bill would provide that such campaign statement shall be filed not later than January 31, with a closing date of December 31. This bill would also allow a candidate for reelection to judicial office to file his campaign statement prior to the closing date under certain conditions.

(7) The bill would declare that the act is in furtherance of the purposes of the Political Reform Act of 1974.

It would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency or school district for any costs incurred by it pursuant to the act.

Ch. 1194 (AB 542) Lewis. Water.

(1) Existing law requires any person who discharges or proposes to discharge waste that could affect the quality of water of the state to file a report of the discharge with the applicable regional water quality control board. Existing law requires the regional board, after any necessary hearing, to prescribe requirements as to the nature of any proposed discharge. Existing law also authorizes a regional board to specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted.

This bill would require that a determination that discharge of waste from existing or new individual disposal systems or from community collection and disposal systems which utilize subsurface disposal should not be permitted must be supported by substantial evidence in the record that discharge of waste from such disposal systems will result in violation of water quality objectives, will impair present or future beneficial uses of water, will cause pollution, nuisance, or contamination, or will unreasonably degrade the quality of any waters of the state. The bill would require a regional board, in making such determination, to consider specified evidence, would require such discharges to be permitted under specified conditions, and would specify related powers of the State Water Resources Control Board or a regional board.

(2) Under existing law, the Crestline-Lake Arrowhead Water Agency may exercise specified powers, including use of the provisions of the Improvement Act of 1911 for the construction of facilities authorized to be constructed by such existing law.

This bill would authorize the Crestline-Lake Arrowhead Water Agency to also use the provisions of the Municipal Improvement Act of 1913 and the Improvement Bond Act of 1915 for construct on of such facilities.

Ch. 1195 (AB 121) Lewis. Air pollution control.

(1) Under existing law, employees of the South Coast Air Quality Management District are required to be members of the retirement association established for employees of the County of Los Angeles.

This bill would, instead, require that employees be included in the retirement association established for employees of the County of Los Angeles and the districts located therein unless an employee elects by January 1, 1978, not to remain a member. Employees who have been members of the Los Angeles County Employees' Retirement Association would be required to remain members. Persons employed after January 1, 1979, would be required to become members of the San Bernardino County Employees' Retirement Association by a specified date. Employees who elect not to remain members of the Los Angeles County Employees' Retirement Association would be required to elect, by January 1, 1979, to become a member of one of the two retirement systems established for employees of the County of San Bernardino or the County of Orange, subject to approval of the appropriate retirement board of the association to be joined. The south coast district would be required to apply for such membership.

(2) Under existing law, the board of supervisors of a county only partially within the south coast district may contract with the district to perform air pollution control functions in such area without including such area as part of the district.

The bill would authorize the board of supervisors, by resolution, to include such area within the district, in lieu of so contracting with the district.

(3) Under existing law, the south coast district board is required to adopt a civil service system similar to that of Los Angeles County for specified employees of the district.

The bill would repeal that requirement.

(4) Under existing law, applicants for various specified construction and operation permits and variances are required to pay the fees established by the south coast district board, and applicants for various specified construction and operation permits and variances are required to pay the fees established by rules and regulations adopted by air pollution control districts. With specified exceptions, public entities are not required to pay fees for the filing of any paper or the performance of any official duty.

The bill would require publicly owned public utilities to pay such fees.

(5) Under existing law, no project is eligible for public financing for pollution control unless there is reasonable assurance that, among other things, it is consistent with an approved regional, basin, or state plan for environmental protection.

This bill would provide that such requirement be deemed satisfied if the project provides for mitigation of certain source emissions and, upon completion, will result in a net reduction of overall emissions and will cause further progress towards attainment of air or water quality standards.

(6) This bill would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the act.

(7) The bill would take effect immediately as an urgency statute.

Ch 1196 (AB 1309) Bates State employment, disabled persons

Under present law, it is declared to be the policy of the state to encourage and enable handicapped and disabled persons to secure employment in state and local public service where the particular handicap or disability does not prevent the performance of the work involved.

This bill would direct every state agency to develop an affirmative action plan for employment of disabled persons on an equal and competitive basis with others, and to submit such plan annually with goals and timetables to the State Personnel Board for approval. The bill would also require each state agency to annually review its hiring practices, and to develop plans to overcome and correct any underrepresentation of any category of disabled person. It would require each state agency to establish a committee of disabled employees to advise it on the formulation and implementation of such plans.

The bill would direct the State Personnel Board to establish guidelines for the setting of goals and timetables for the employment of plans, to outline specific actions and conduct surveys to promote such employment, and to provide assistance, coordination, and monitoring of such plans. It would also require the board to report to the Governor and Legislature annually commencing November 15, 1978, on the employment program for the disabled in state government.

Ch 1197 (AB 1310) Berman Attorney's fees

Under existing law, the measure and mode of compensation of attorneys is determined by agreement of the parties, except attorneys' fees may also be awarded by a court pursuant to express authority in the law.

This bill would authorize a court, upon motion, in any action not involving a public entity, to award attorneys' fees to a successful party against one or more opposing parties in any action which has resulted in the enforcement of an important right affecting the public interest if 3 specified conditions are satisfied.

The bill would authorize a court to make such award of attorneys' fees in an action involving a public entity, but would prohibit such award of attorneys' fees in favor of a public entity.

The bill also would provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant thereto.

Ch 1198 (AB 245) Berman Health planning

Existing law generally requires that a certificate of need be obtained for construction of new health facilities, or for services, equipment, or modernization costing in excess of \$150,000. However, certain remodeling and projects involving the replacement of health facilities are exempt from the requirement of the issuance of a certificate of need.

This bill would, with certain exceptions, require reductions of licensed bed capacity as a condition to granting such an exemption for remodeling or replacing patient rooms and nursing stations at a cost of over \$250,000.

The bill would, with certain exceptions, limit other such exemptions to replacement or remodeling costing not more than the lesser of \$1,500,000 or \$4,000 multiplied by the facility's bed capacity.

The bill would also specify time limitations for commencing and completion of remodeling or replacement projects receiving such exemptions.

Ch 1199 (AB 998) McCarthy. Services for older persons.

(1) Existing law requires the Health and Welfare Agency to approve and fund multipurpose senior centers for older persons based on specified qualifications. A separate licensure category is established for such centers under the California Community Care Facilities Act.

This bill would repeal the above provisions and enact a new chapter which would require the Health and Welfare Agency to approve and fund model projects for the provision of multipurpose senior services for older persons based on prescribed criteria.

The bill would also declare the intent of the Legislature that funds allocated for multipurpose senior services projects under Item 241.3 of the Budget Act of 1977, be expended for the purposes of model projects established pursuant to this bill.

(2) Under existing law, the Department of Aging, with the approval of the Department of Finance, is authorized to make funds available from specified sources to various nutrition programs. Funds are also appropriated annually in the Budget Act for support of the department.

This bill would require the Department of Aging to establish, by contracting with qualified entities, pilot projects in Sacramento, San Diego, and Humboldt Counties which provide senior citizens with one meal per day at minimal or no cost and the opportunity to volunteer their services to meet community needs.

The bill would create an advisory committee to advise the Department of Aging regarding such pilot projects, and would require the department to evaluate each pilot project and make a report to the Legislature and the Governor.

This bill would change the availability of moneys appropriated by Item 241.3 of the Budget Act of 1977, thereby making an appropriation.

The bill also would appropriate various specified sums from the General Fund and the Transportation Planning and Research Account in the State Transportation Fund to the Department of Aging for fiscal years 1977-78 to 1980-81 for purposes of carrying out specified components of the pilot projects for senior citizen meals and volunteer services to be established pursuant to the act.

The bill would provide that the codified provisions added by it shall remain in effect only until January 1, 1981.

Ch. 1200 (AB 884) McCarthy. Development projects: environmental quality.

(1) Existing law does not contain provisions governing the review and approval by public agencies of development projects.

This bill would define "development project" and require any public agency that is the lead agency for a development project to approve or disapprove such project within one year from the date on which an application requesting approval has been received and accepted as complete. The bill would also establish specified time limits for approval or disapproval of development projects by any public agency which is a responsible agency, as defined. The bill would specify exceptions to such requirements and would specify that failure to act within the required time limits shall be deemed approval of the development project. The bill would permit such time limits to be extended for a period not to exceed 90 days upon consent of the public agency and the applicant.

The bill would also require each state agency by June 30, 1978, to compile lists which shall specify in detail the information which will be required from any applicant for a development project, including the criteria which will apply in order to determine the completeness of any application submitted to it. The bill would require any public agency to determine in writing the completeness of an application within 30 calendar days of receipt and to transmit such determination to the applicant, and to indicate in such determination, if incomplete, the manner in which the application can be made complete.

The bill would also make legislative findings in such connection, and would require the Office of Planning and Research, to the maximum extent feasible, to consolidate hearings where a project requires approval by more than one public agency

(2) Under the California Environmental Quality Act, all public agencies, state and local, are generally required to prepare or cause to be prepared by contract, and certify the completion of, an environmental impact report on any discretionary project they propose to carry out or approve which may result in a substantial, or potentially substantial, adverse change in the environment. Where the public agency, on the basis of an initial study, determines that the project will not have such impact or potential impact, a negative declaration must be prepared. For purposes of the act, the lead agency is the public agency which has principal responsibility for carrying out or approving a project and a responsible agency is a public agency, other than the lead agency, which has responsibility for carrying out or approving a project.

This bill would specify that the lead agency shall have the responsibility for determining whether an environmental impact report or a negative declaration shall be required for any project subject to the act and that such determination shall be final and conclusive on all persons, including responsible agencies unless challenged in a prescribed legal action or proceeding. The bill would require, in the case of projects involving the issuance of a lease, permit, license, certificate, or other entitlement for use, that such determination be made within 45 days from the date on which an application for a project has been received and accepted as complete by the lead agency. The bill would require the lead agency, prior to making such determination for any project, to consult with all responsible agencies. The bill would establish procedures and requirements relative to the consultation of lead agencies with responsible agencies in the making of such determination and in preparation of environmental impact reports, and would make other changes relative to the responsibilities of lead agencies and responsible agencies.

(3) Existing law limits the responsibility of a local agency functioning as a responsible agency, as opposed to functioning as the lead agency for the project, to consideration of the effects of those activities involved in a project, which it is required by law to carry out or approve.

This bill would extend such limitation to all public agencies, but would provide that it shall not limit the scope of certain comments the agency may make pursuant to specified provisions of law.

(4) Existing law requires local agencies to establish, by ordinance or resolution, time limits, not to exceed one year, for completing environmental impact reports and negative declarations for projects involving the issuance of a lease, permit, license, certificate, or other entitlement for use.

This bill would require that the time limit for such negative declarations not exceed 105 days and would also require state agencies to establish such time limits by resolution or order. The bill would exempt projects from such time limits under specified circumstances.

(5) Under existing law, when an environmental impact report has been prepared for a project, no subsequent environmental impact report is required unless substantial changes are proposed in the project which will require major revisions of the report or substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the report.

This bill would declare that an environmental impact report shall be conclusively presumed to meet the requirements of the act for purposes of its use by responsible agencies, unless a subsequent or supplemental report is required pursuant to such provisions, if no legal action or proceeding is commenced within the prescribed 30-day statute of limitations for such actions. The bill would authorize a responsible agency to issue a conditional approval or disapproval of a project, as specified, if an action or proceeding is commenced within such period. In this connection, the bill would authorize a lead agency or responsible agency to require a subsequent or supplemental report if certain new information becomes available after certification of the report as to completeness.

(6) Certain types of projects and activities are exempt from the California Environmental Quality Act.

This bill would also exempt projects which a public agency rejects or disapproves

(7) Under existing law, specified regulatory programs of state agencies, boards, and commissions which have protection of the environment among their principal purposes and which require a plan or other documentation, as specified, to be submitted in support of such issuance are exempted from environmental impact report requirements upon certification by the Secretary of the Resources Agency that the programs meet specified criteria. Such provisions are effective only until January 1, 1978, on which date they are repealed.

This bill would expand the exception to such requirements to the adoption or approval of standards, rules, regulations, or plans for use in the regulatory programs and repeal the provisions limiting the effective date of the provisions to January 1, 1978.

(8) The bill would, until July 1, 1978, provide that nothing in the California Environmental Quality Act shall be construed to apply to any action or activity governed by designated provisions regulating agricultural chemicals, fertilizing materials, and commercial feeds

(9) The bill would make various technical and conforming changes

(10) The bill would appropriate \$405,050 to specified state agencies in support of costs incurred pursuant to the bill.

(11) The bill would incorporate additional changes in Section 21080 of the Public Resources Code proposed by AB 1466 or SB 1040, or both, to be operative only if this bill and AB 1466 or SB 1040, or both, are chaptered and this bill is chaptered last.

(12) The bill would declare that there are no state-mandated local costs in the bill that require reimbursement under Section 2231 of the Revenue and Taxation Code for a specified reason.

Ch. 1201 (AB 647) Vasconcellos. Postsecondary education. State Guaranteed Loan Program.

Existing statutes establish the State Guaranteed Loan Program for college students to be consistent with specified federal laws.

This bill would include therein the education amendments of 1976 (P.L. 94-482)

This bill would: revise the membership of the Loan Study Council to 15 members appointed by the Student Aid Commission, as specified; delete the reporting duties of the council and require it, instead, to advise the commission; express legislative findings and declarations relating to participation in the federal Guaranteed Student Loan program; require the commission to serve, pursuant to such federal law, as a state student loan guarantee agency, as specified, and require specified reports; authorize utilization of a specific common student application form; require the commission to develop and distribute common consumer information and to make a specified report; authorize the commission to contract for all or part of administrative support services; require the commission to encourage increased participation by private lenders; and make the *General Fund not liable for any student loan made prior to the effective date of this bill*

This bill would also appropriate \$2,000,000 to the State Controller for a loan to the Student Aid Commission for fiscal years 1977-78, 1978-79, and 1979-80 for administrative startup costs for purposes of this act, and, through the State Guaranteed Loan Reserve Fund, for purchasing for collection defaulted loans from lending agencies, and would require repayment of such loan plus interest at the rate earned on funds deposited in the Pooled Money Investment Fund, to the General Fund from state guaranteed loan repayment revenues, by fiscal year 1985-86.

Ch. 1202 (AB 911) Arnett. Private educational institutions

Existing law provides a procedure for private postsecondary institutions to secure authorization to issue diplomas and degrees from the Superintendent of Public Instruction or the State Board of Education, as designated

This bill would revise and recast, with various substantive changes, the provisions relating to such procedure and would repeal such provisions on July 1, 1982.

Ch. 1203 (AB 1124) Brown. Open-space subventions and property tax assistance for the elderly: deficiency appropriation.

(1) The Budget Acts of 1975 and 1976 appropriate, respectively, \$16,000,000 and \$17,000,000 for reimbursement of local taxing authorities for revenue lost by reason of the assessment of open-space lands

This bill would appropriate \$1,500,000 for such reimbursement, of which \$500,000 would be in augmentation of the amount appropriated in the Budget Act of 1975 and \$1,000,000 would be in augmentation of the amount appropriated in the Budget Act of 1976. The appropriation in augmentation of the Budget Act of 1975 would be made notwithstanding a limitation in existing law restricting the reimbursements for the 1975-76 fiscal year to 115% of the reimbursements made in the 1974-75 fiscal year, and the appropriations in augmentation of both acts would be made notwithstanding prohibitions therein against augmentation.

(2) The Budget Act of 1977 appropriates \$78,000,000 for property tax assistance for owner-claimants pursuant to provisions of law relating to such assistance for persons who are residents of the state and 62 years of age or older.

This bill would appropriate \$1,500,000 in augmentation of that appropriation.

(3) The bill would take effect immediately as an urgency statute.

Ch. 1204 (AB 1107) McCarthy. Transportation: San Francisco Bay area

(1) Under the San Francisco Bay Area Rapid Transit District Act, the San Francisco Bay Area Rapid Transit District (hereafter referred to as BART) is required to impose a 1/2% transactions and use tax until June 30, 1978.

The bill would delete that termination date, and thus would require BART to impose that tax indefinitely.

With respect to revenues of the tax imposed on and after January 1, 1978, and the revenues from the tax imposed prior to January 1, 1978, but available after March 31, 1978, after deduction for the cost of the State Board of Equalization in administering the tax, 75% would be allocated to BART and 25% would be allocated by the Metropolitan Transportation Commission to BART, the City and County of San Francisco, and the Alameda-Contra Costa Transit District for improvements in the level of transit services beyond that provided on or before January 1, 1978, on the basis of regional priorities established by the commission. However, the funds would not be allocated to an entity, on and after January 1, 1978, unless (a) it is a participating member of a transit coordinating council which the commission would be required to establish, and be a member thereof, to better coordinate San Francisco Bay area transit services and to explore potential advantages of joint ventures in administrative areas, (b) its fare revenues equal at least 33% of its operating costs, as defined, and (c) it has complied with standards established by the commission as specified in (3) below. For purpose of determining compliance with the 33% requirement in (b), the 2 special transit service districts of the Alameda-Contra Costa Transit District would be considered to be separate transit districts.

(2) Under existing law, funds were made available to BART by the California Toll Bridge Authority to construct the BART tube under San Francisco Bay and the approaches to the tube. BART is required to pay the authority for the cost of constructing those approaches and the financing cost related thereto.

The bill would cancel BART's obligation to pay such cost.

(3) Under the Metropolitan Transportation Commission Act, the Metropolitan Transportation Commission is required to provide comprehensive regional transportation planning for the 9 San Francisco Bay area counties.

The commission would be required to develop, specify, and formulate various guidelines and standards regarding transportation.

(4) The bill would require the commission to submit various reports to the Legislature regarding its action with respect to this bill and the Legislative Analyst, by October 1, 1979, to submit a report to the Legislature regarding, among other things, the implementation of this bill and recommendations on continuous legislative oversight of the commission and of the operations of the 3 transit operators.

(5) The bill would state the intent of the Legislature regarding the imposition of the 1/2% transactions and use tax beyond January 1, 1978, and the transit services and controllable operating cost of these 3 transit operators

(6) The bill would provide that there would be no appropriation or reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason

Ch 1205 (AB 1376) Cordova Elections: general

(1) Existing law refers to the delegates to the Democratic State Convention, the provisions for which were repealed following the 1976 convention, as members of the Democratic State Central Committee

This bill would incorporate the repealed delegate membership provisions within the provisions for the state central committee in order to perpetuate such membership on the state central committee.

(2) Existing law requires the nomination papers for an independent candidate to set forth the city as well as the county in which the signers reside and requires the signers to declare that they intend to support the candidate named therein and that they did not vote a partisan ballot at the preceding primary election

This bill would delete such requirements

(3) Under existing law, when any elector is registered, his precinct number as well as other information is required to be entered on the stub attached to the original affidavit.

This bill would delete the requirement that a voter's precinct be so listed.

(4) Under existing law, the Secretary of State is required to conduct a public drawing to produce a randomized alphabet for determining the order of candidates on the ballot to fill a vacancy in the Legislature on the first Monday after the close of filing nomination papers for the office

This bill would make the date for such drawing the first weekday after the close of filing nomination papers for the office.

(5) Existing law authorizes the Secretary of State to adopt regulations to assure the uniform application and administration of state election laws.

This bill would state such authorization in the Government Code, under the provisions which prescribe the Secretary of State's duties with respect to elections.

(6) Certain existing sections in the Education Code relating to elections, and in the Elections Code contain obsolete cross-references and language

This bill would conform such cross-references to existing law and would correct the obsolete language.

(7) This bill would revise certain type-size requirements and terminology of ballots, make certain technical and clarifying changes in provisions governing recount, revise the format for nomination papers and nominee's affidavits, revise the time period within which specified election duties are to be performed by local election officials, revise the date for the biennial meeting of the Democratic State Central Committee and make various other technical and conforming changes

(8) This bill would also incorporate additional changes to the Elections Code proposed by AB 1135, to become operative only if AB 1135 is enacted and takes effect January 1, 1978.

Ch. 1206 (AB 1203) Chappie. Guide dogs for the blind.

Existing law provides a special need allowance for every blind supplementary income recipient with a guide dog of \$18 per month for food for the dog, such allowance to be administered and paid by the Department of Benefit Payments.

This bill would increase such allowance to \$30.

The bill would appropriate \$22,000 to the Department of Benefit Payments to carry out the bill's provisions.

Ch. 1207 (AB 1666) Bates Healing arts.

Existing law requires the Medical Quality Review Committee of Los Angeles County to be composed of 20 members, 12 of whom hold valid physician's and surgeon's certificates, 4 of whom are public members, and 4 of whom are nonphysician licentiates of a healing arts board.

This bill would increase such committee membership to 40 persons, 24 holding valid physician's and surgeon's certificates, 8 public members, and 8 nonphysician licentiates.

Existing law provides for expiration and renewal of licenses of physicians and surgeons, podiatrists, midwives, and drugless practitioners.

The bill would require the Division of Licensing to establish by regulation a system of license renewal based upon the legal birth date of the licensee.

Under existing law the maximum license renewal fee that can be imposed upon

persons licensed under the healing arts provisions relating to medicine, such as physicians and surgeons and podiatrists, is \$150.

The bill would increase the biennial license renewal fee for physicians and podiatrists from a maximum of \$150 to a maximum of \$200 excepting licensees in residence programs, which would be limited to a maximum of \$100. Such increases would be in effect from January 1, 1978 to January 1, 1982, with the Department of Consumer Affairs to report to the Legislature by March 1, 1979, on the feasibility of General Fund support for such enforcement.

Under existing law proceeds from initial license fees and renewal fees received from persons licensed under the provisions relating to medicine are collected and deposited in the Contingent Fund of the Board of Medical Quality Assurance, which is continuously appropriated.

The increase in renewal fees authorized by this bill would result in an increase in the amount of fees collected and deposited in such continuously appropriated fund

Ch. 1208 (AB 1448) Statham. Birds and mammals: parts thereof.

Existing law regulates the taking and possession of birds, mammals, fish, reptiles, and amphibia and generally makes it unlawful to sell or purchase any bird or mammal taken under a hunting license.

This bill would define bird and mammal for such purposes to include any parts thereof and would expressly include the parts of the animal within provisions regulating the taking, possession, and sale of birds, mammals, fish, reptiles, and amphibia and would make related changes. The bill would also make it unlawful to sell or purchase the skin, hide, teeth, claws, or other part of any bear in this state.

The bill would provide that there shall be no reimbursement for any state-mandated local program for a specified reason.

Ch. 1209 (AB 1195) Bates. Air pollution: plans and programs.

Under existing law, each air pollution control district included in an air basin is required to submit to the State Air Resources Board a program to implement the basinwide air pollution control plan adopted by the basinwide air pollution control council or the basinwide air pollution control district for the air basin in which the district is located.

The bill would require each district within the air basin to adopt or revise such a program within 90 days after the adoption or revision of the basinwide plan by the basinwide council or basinwide district, and to submit the adopted or revised program to the state board within 10 days after the adoption of the program or revised program

The bill would also make a related change by deleting the requirement that the program be revised, if necessary, whenever the plan is reviewed

The bill would make no appropriation nor create any obligation for the reimbursement of any local agency for any costs incurred by it pursuant to this bill for a specified reason.

Ch. 1210 (AB 1393) Alatorre. Local detention facilities

Under existing law, the Board of Corrections is required to establish and review minimum standards for local detention facilities, and to inspect and report on such facilities. Existing law defines such facilities to exclude facilities used for the confinement of persons for less than 24 hours.

This bill would include facilities constructed on or after January 1, 1978, used for the confinement of persons for less than 24 hours within the definition of local detention facilities.

Ch. 1211 (AB 859) Rosenthal. Pharmacy.

Existing law does not authorize a pharmacist to refill a prescription without authorization from the prescriber.

This bill would authorize a pharmacist to refill a prescription, except as specified, if the prescriber is unavailable and in the pharmacist's judgment failure to refill the prescription might present an immediate hazard to the patient's health and welfare or might result in intense suffering. It also would require the Director of Health to limit the rate of payment for the professional fee portion of prescription services, as specified

Ch. 1212 (AB 1248) Stirling. Prescriptions.

Existing law does not prohibit a person from possessing a prescription blank. The law does prohibit a person from forging or altering a prescription.

This bill would make it a misdemeanor for any person other than a physician, dentist, podiatrist, veterinarian, pharmacist, or other person authorized to dispense, administer, or prescribe controlled substances, or such person's agent, to knowingly and willfully manufacture, copy, reproduce or cause to be manufactured, copied, or reproduced any prescription blank which purports to bear specified identifying information of the aforementioned health professionals.

This bill would provide that neither appropriation is made nor an obligation created for the reimbursement of any local agency for any cost incurred by it pursuant to the bill because of a specified reason.

Ch. 1213 (AB 1730) Maddy. Campaign contributions.

(1) Existing law provides that a person or combination of persons becomes a committee, subject to the campaign reporting provisions of the Political Reform Act of 1974, if expenditures and contributions made in a calendar year, other than certain cash or cash equivalent contributions, total \$500.

This bill would revise the above provision to provide that when independent expenditures total \$500 or more in a calendar year such reporting is required.

(2) The existing law provides that a person or combination of persons becomes a major donor committee, subject to the campaign reporting provisions of the act, when contributions of cash, checks, and other cash equivalents paid directly to candidates and committees total \$5,000 in a calendar year.

This bill would revise the above provision to include in-kind, as well as cash, checks, and cash equivalents in the \$5,000 threshold for qualification as a committee and would revise its language to reflect the inclusion of in-kind contributions in such provision.

(3) Existing law provides that persons or combinations of persons who come within the definition of major donor committees but not other specified provisions of the act defining committee shall be deemed committees only for provisions of the act relating to campaign disclosure.

This bill would delete such provisions.

(4) Existing law provides that any contribution of \$50 or more, other than an in-kind contribution, shall be made by a written instrument containing the name of the donor and the name of the payee.

This bill would provide that the value of all in-kind contributions of \$50 or more must be reported in writing by the contributor to the recipient.

Ch. 1214 (AB 1389) Alatorre. Health facilities: staff privileges for podiatrists.

Under existing law, the rules of a health facility are required to include provisions for use of the facility by, and staff privileges, for licensed podiatrists.

This bill would prohibit the rules of a health facility from discriminating on the basis of whether a staff member holds a M.D., D.O., or D.P.M. degree, within the scope of their respective licensure. The bill would provide that an individual staff member's staff privileges could only be limited or restricted upon the basis of the individual practitioner's license and demonstrated competence. The bill would provide that nothing in it would require a health facility to offer a specific health service or services not otherwise offered.

Ch. 1215 (AB 1220) Alatorre. Industrial safety: state prisoners.

Existing law requires the Department of Corrections, among others, to file specified reports concerning injuries to state prisoners resulting from labor performed by the prisoner. Such prisoners are, however, specified not to be employees of such department for any purpose.

This bill would make the Department of Corrections the "employer" of state prisoners who are injured in "correctional industry," which would be defined by the Department of Corrections, with regard to such prisoners for purposes of the California Occupational Safety and Health Act of 1973, requiring employers generally to furnish safe and healthful places of employment.

This bill would also require that a Correctional Industry Safety Committee be estab-

ished at each facility maintaining such a correctional industry, and would require all complaints alleging unsafe or unhealthy working conditions be initially directed to the committee of the facility prison, with specified review by the Division of Industrial Safety.

Ch 1216 (AB 1853) Papan. Transportation.

(1) Under existing law, the Public Utilities Commission is not authorized to consider the availability of public subsidies or other support for interurban railway passenger services in proceedings before the commission relating to the rates charged by a railroad corporation for such passenger services or to the extent of such services.

This bill would require the commission to take into consideration the availability of such subsidies or other support in such proceedings. The Department of Transportation would also be required to furnish, upon request of the commission, information concerning the availability of such subsidies or support.

The bill would also require the commission, in any proceeding concerning interurban transportation of passengers by a railroad corporation, to consider those factors that would assure continuation of such services.

(2) Under existing law, a common carrier is prohibited from, directly or indirectly, granting free or discount tickets for passenger services in the state.

The bill would authorize, until January 1, 1980, any city and county or transit district whose area is served by the Southern Pacific Transportation Company between San Jose and San Francisco to make a bulk purchase of passenger tickets for that line from the company, or from Greyhound Bus Lines for transportation services within the area, or from both, for resale at less than cost to the residents of the city and county or transit district, as the case may be.

(3) Under existing law, funds were allocated to the department for the 1976-77 to 1978-79 fiscal years, inclusive, to undertake a program to extend passenger rail services and to upgrade other commuter rail services.

The bill would authorize the department to negotiate and, if feasible, to enter into a contract with the Southern Pacific Transportation Company to provide rail passenger service between San Francisco and San Jose and points in between.

(4) Under the Mills-Alquist-Deddeh Act, a transit district may subsidize, with funds allocated to it under that act, a railroad corporation subject to the jurisdiction of the Public Utilities Commission for its operating loss in the transportation of persons within, to, or from the district.

The bill would authorize a city and county to do likewise within the city and county.

(5) Under existing law, the department, from funds in the Abandoned Railroad Account in the State Transportation Fund, is authorized to acquire abandoned railroad right-of-way for possible development for public transportation uses. The department is authorized to dispose of the acquisition of right-of-way if no agreement is reached with a public entity within 3 years of the date of acquisition to develop the right-of-way for a public transportation use.

The bill would require the department to acquire that portion of the Southern Pacific's railroad right-of-way between San Bruno and Daly City and to dispose of it if no agreement is reached with a public entity within 5 years of its acquisition to develop it for a public transportation use.

(6) The bill would require the Metropolitan Transportation Commission to conduct a study, with the aid of a committee of transit dependents, as defined, appointed by the commission, to determine the extent to which the transit needs of the transit dependents are met by the services of the Southern Pacific Transportation Company between San Jose and San Francisco. The commission would be required to submit, not later than January 1, 1979, its findings and recommendations to the Legislature.

The bill would require the commission to ensure the coordination of the services of the transit districts and of the City and County of San Francisco so that there is adequate feeder bus service to that service of the Southern Pacific Transportation Company.

(7) Under Chapter 1130 of the Statutes of 1975, the commission submitted to the Legislature a study on alternate forms of transit development within the West Bay Corridor in the San Francisco Bay area.

The bill would require the commission to submit to the Legislature, not later than February 1, 1978, and September 1, 1978, detailed financing plans to meet the goals outlined in the study.

(8) The bill would make an appropriation because the department would be required to acquire property, which it would be required to retain for a 5-year period, and thus would be granted authority that it does not now have to expend money for a new purpose.

Ch. 1217 (AB 1733) Gage. Local agencies.

Under existing law, the board of supervisors of a county may levy a special tax for, among other things, advertising the resources of the county in an amount not to exceed \$0.04 on each \$100 of assessed valuation and it may appropriate moneys from the General Fund to make up the difference between the result of the \$0.04 tax levy and the sum of \$50,000. In addition, a county may use proceeds derived from a privilege occupancy tax for such purposes. However, the existing law is unclear as to whether the special tax must be levied before moneys derived from the privilege occupancy tax may be expended for advertising purposes.

This bill would clarify the law by providing that the proceeds of the privilege occupancy tax may be expended for county advertising purposes whether or not the special tax is levied.

Existing law provides for specific limitations on water and sewer standby charges imposed by resort improvement districts.

This bill would exempt from these limitations any such district which uses the authority contained in the County Service Area Law for the imposition of such charges subject to other specified limits.

This bill would incorporate additional changes in Section 26100 of the Government Code proposed by SB 655 to be effective only if SB 655 is chaptered, and this bill is chaptered last.

Ch. 1218 (AB 1829) N Waters. San Joaquin County Flood Control and Water Conservation District: investigation zones.

Existing law provides for flood control and water conservation zones for specified purposes in the San Joaquin County Flood Control and Water Conservation District.

This bill would authorize creation of investigation zones in the San Joaquin County Flood Control and Water Conservation District and would define the primary purposes of such zones, the method of formation of an investigation zone by the governing board of the district, and of financing such zone studies.

Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.

This bill would take effect immediately as an urgency statute.

Ch. 1219 (SB 888) Fobbins. Sexual assaults: examination and treatment.

Existing law requires that professional personnel trained in the examination of victims of rape and other sexual assaults be present or on call at all times in every county hospital in a county of more than 500,000 population. A standard form for recording medical data is required to be used by each physician in a county hospital who conducts an examination for evidence of a rape or other sexual assault, and the form is a confidential medical record which may only be released in specified situations.

This bill would expand the requirement for the presence of professionals trained in examining victims of sexual assaults to include all counties of more than 100,000 population. The bill would require that the county provide such professional personnel either in county hospitals or in a general acute care hospital which has contracted with the county to provide emergency medical services.

This bill would require that physicians in all acute care hospitals use the standard medical data form for examination of sexual assaults.

This bill would make the standard medical data form used for examination of sexual assaults a medical record subject to the same principles of confidentiality applied to any other medical record. The bill would delete all specific authorizations for release of the form except that information in the form could be released to the Department of Justice

for statistical purposes if all personal identifying information is deleted

The bill would require the State Department of Health to adopt guidelines for treatment of a victim of rape or other sexual assault and require that medical personnel in county hospitals use such guidelines.

This bill would provide that there would be no reimbursement to local agencies for costs imposed on them by the bill because of a specified reason.

The bill would take effect immediately as an urgency statute.

Ch 1220 (SB 1284) D Carpenter. Issuance of securities.

Existing law requires competitive bidding for the sale of securities involved in public leaseback arrangements by joint powers authorities, nonprofit corporations, or parking authorities.

This bill would eliminate the need for competitive bidding where the securities are issued for the acquisition of a private water company or the capital stock of such a company provided such acquisition is made pursuant to a written agreement entered into prior to January 1, 1978.

The bill would take effect immediately as an urgency statute.

Ch 1221 (AB 1731) Perino. Schools: compulsory school attendance: exemptions

Under existing law, minors between the ages of 6 and 16 are generally subject to compulsory school attendance, unless exempt, and minors between the ages of 16 and 18 are subject to compulsory continuation education unless exempt.

This bill would exempt from such requirements a pupil between 12 and 18 years of age who enters a school district from another state within 10 schooldays of the end of the school term, such exemption to last for the remainder of such school term

This bill would also permit the otherwise lawful employment of minors so exempted.

Ch. 1222 (AB 2028) Bane. State office building: site acquisition.

This bill would direct the Department of General Services to acquire a site for a state-owned building in the area of the Van Nuys Civic Center. The bill provides that such acquisition shall be subject to the Property Acquisition Law.

This bill would appropriate \$1,200,000 to the department for purposes of the bill. It would direct the department to consider, in this connection, after consultation with federal and local officials, economies of site location, of the furnishing of government services to the people, and of construction; the convenience to the public; the proximity of public transportation; and the possibility of using or converting to solar energy or other alternate energy sources.

This bill would take effect immediately as an urgency measure

Ch. 1223 (AB 1383) Bates. Tide and submerged lands: City of Albany.

Existing provisions of law grant in trust to the City of Albany, for specified uses and purposes and subject to express conditions, all tide and submerged lands, both filled and unfilled, that are included within the city's boundaries.

This bill would revise such provisions in order to grant in trust to the city certain designated tide and submerged lands, both filled and unfilled, for specified uses. Such grant, among other things, would require that such lands be used in conformity with the Albany Waterfront Plan and be improved in accordance with the plan on or before January 1, 1988, or title therein shall revert to the state. The bill would impose various requirements regarding public rights in the granted lands, leasing of lands by the city, management and disposition of revenues from the lands, and the determination of the boundaries of the lands granted by the bill that are subject to the jurisdiction of the San Francisco Bay Conservation and Development Commission

Existing law relating to that commission exempts from its provisions any project, as defined, for which local governmental approval and a permit from the Army Corps of Engineers were obtained for diking or filling processes that were commenced prior to September 17, 1987.

This bill would repeal this provision and make conforming changes

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by the bill for a specified reason

Ch. 1224 (AB 769) Chacon Schools: bilingual education.

Currently, there is a Bilingual Education Act of 1972 which authorizes school districts to participate in a prescribed program of bilingual education. Also, there is the Chacon-Moscone Bilingual-Bicultural Education Act of 1976 which generally requires each limited-English-speaking pupil enrolled in the California public school system in kindergarten through grade 12 to receive instruction in a language understandable to the pupil as well as in English. The 1976 act also generally requires all teachers in bilingual programs to be bilingual-crosscultural teachers but authorizes school districts with a shortage of qualified bilingual-crosscultural teachers to grant waivers which expire no later than September 1, 1979, under specified conditions, and makes any teacher employed after January 1, 1977, in specified related programs, ineligible for such a waiver.

This bill would provide instead that such waivers would be renewable one-year waivers, would require all requests for waivers for the 1977-78 or 1978-79 school year to be filed with the State Board of Education on or before October 1 of the appropriate year, ~~would extend the waiver expiration date to September 1, 1979; *~~ and would establish specified conditions which must be met before a one-year waiver may be granted if the district has hired new teachers.

This bill would specify that no teacher employed in the specified programs after January 1, 1978, rather than January 1, 1977, shall be eligible for a waiver.

This bill would take effect immediately as an urgency statute.

Ch. 1225 (AB 977) Bane. Public Employees' Retirement System. membership.

Existing Public Employees' Retirement Law defines various organizations and corporations as public agencies for purposes of contracting for membership in the Public Employees' Retirement System.

This bill would include a state employee credit union as such a public agency.

This bill would incorporate additional changes in Section 20009.1, Government Code, proposed by Assembly Bill No. 324, to be effective only if Assembly Bill No. 324 and this bill are both chaptered and become effective on or before January 1, 1978, and this bill is chaptered last.

Ch. 1226 (AB 986) Fazio. Lubricating oil: specification.

Existing law specifies that any lubricating oil or any product that is a blend of recycled oil and new oil shall not be sold, offered for sale, delivered, offered for delivery or stored as an engine lubricant, engine oil, motor oil or lubricating oil for use in an internal combustion engine unless such product conforms to certain specifications.

This bill would additionally specify that any motor oil or lubricating oil that is represented to meet S.A.E./A.P.I. Service S.A. must have a neutralization number as measured by ASTM method D-974 of 0.20 maximum.

Existing law makes it unlawful for any person to sell, offer to sell, offer for sale, or deliver or offer to deliver any engine lubricant, engine oil, lubricating oil, or motor oil unless the S.A.E./A.P.I. service classification is conspicuously marked on each container.

This bill would require, on and after January 1, 1979, each such container which contains one gallon or less to bear a plainly visible statement indicating generally the automobile model years or condition of service for which such lubricant or oil is suitable or appropriate for use in engines, as described.

This bill would provide for neither appropriation nor reimbursement to local entities for specified reasons.

Ch. 1227 (AB 664) Kapiloff Harbors.

Under existing law, contracts for construction and reconstruction work of the San Diego Unified Port District and the Humboldt Bay Harbor, Recreation, and Conservation District which are in excess of \$2,500 are required to be let by competitive bid.

The bill would provide that the maximum amount of such contracts for construction and reconstruction work be \$5,000 and for maintenance or repair projects be \$3,500 for such districts, without being let for competitive bid. It would specifically exempt any contract for architectural, engineering, legal, or auditing services from such bidding requirements.

In addition, the bill would specify that contracts for consulting services for the San Diego Unified Port District, and the Humboldt Bay Harbor, Recreation, and Conserva-

tion District may be let only after written proposals and evaluation of expertise, experience, and proposed price of the vendor. Such contracts not limited to a specific project would be limited by the bill to one year in length.

The bill would provide that there shall be no reimbursement pursuant to Section 2231 of the Revenue and Taxation Code nor shall there be an appropriation made by this bill for a specified reason.

Ch 1228 (AB 815) McVittie. Real property sales contracts.

Existing law requires that every real property sales contract contain a statement of the number of years required to complete payment in accordance with the terms of the contract and the basis upon which the tax estimate is made.

This bill, in addition, would require certain contracts for the sale of real property entered into after January 1, 1978, where the real property that is the subject of such contract resulted from a division of real property occurring at specified times and under specified conditions, to contain specified information regarding the property's compliance with the Subdivision Map Act. This bill would provide that, under certain circumstances, the vendee of such property shall recover certain of his costs in connection with the sale of such property or else the sale shall be voidable at his option. This bill would further provide for misdemeanor penalties for a vendor under certain circumstances.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill for a specified reason.

Ch 1229 (AB 1053) Lockyer. Economic development

(1) Existing law provides for the existence of a California Council of Design and Marketing in the Department of Commerce consisting of 15 members appointed by the Governor, with the consent of the Senate, with specified powers and duties relating to product design and marketing.

This bill would repeal such provisions.

(2) Existing law specifies the salary of the Director of Commerce

This bill would delete such provisions

(3) Existing law specifies those agencies comprising the Agriculture and Services Agency, including, among others, the Department of Food and Agriculture, the Department of Industrial Relations, and the Department of Commerce.

This bill would rename the Agriculture and Services Agency, the State and Consumer Affairs Agency, would delete the inclusion of the Department of Food and Agriculture and the Department of Industrial Relations within that agency, and would delete the provisions relating to the Department of Commerce

In addition this bill would amend specified provisions contained in Senate Bill 28 of the 1977-78 Regular Session relating to the establishment of a Department of Economic and Business Development. Such provisions would only become operative if Senate Bill 28 becomes effective and contains the provisions which would be amended by this bill.

This bill would also add provisions establishing a continuously appropriated California Economic Development Grant and Loan Fund to become operative if the provisions of Senate Bill 28 become effective and establish a Department of Economic and Business Development.

Ch. 1230 (AB 1641) Montoya. Schools: adult education: regional occupational centers and programs.

Under existing law, school district revenues derived from the average daily attendance of adults must be expended for adult education purposes.

This bill would allow high school and unified school districts to budget and accumulate a "general reserve" and "appropriation for contingencies" in connection with such programs

Under existing law, regional occupational centers and programs maintained by county superintendents of schools and joint powers agencies receive support funds from participating districts based upon the average daily attendance of such districts

This bill would limit the payments made to that of the county revenue limit for that purpose and would prohibit districts of residences of pupils in such centers and programs from retaining revenue generated by such attendance.

Existing law provides for the governance of various kinds of regional occupational centers and programs

This bill would specify the mode of governing such a center or program when it is established pursuant to a cooperative agreement other than a joint powers agreement.

Under current law, a regional occupational center or program may admit a pupil who resides in a school district which also maintains a center or program under certain circumstances, and specifies that the attendance of such pupils is credited to the center or program of attendance.

This bill would specify that the attendance be credited instead to the district of residence, which would be required to pay to the center or program an amount per unit of average daily attendance not exceeding the actual cost of the program.

This bill would also generally permit the attendance of pupils in regional occupational centers or programs maintained by school districts other than those operated by the district in which the pupil resides pursuant to a written agreement if the county superintendent of schools approves.

This bill would authorize an increase in the base revenue limit of school districts which enroll students in vocational education, other than regional occupational programs or centers, under certain federally approved vocational education programs.

Currently, it is provided that no revenue derived from the average daily attendance of adult education programs shall be expended for other than adult education purposes.

This bill would provide an exception if the adult average daily attendance is also composed of attendance of a regional occupational center or program, and permit allocation of adult revenues between the two types of programs without limitation as to particular proportions.

Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increase in school district revenue limits.

Current law prescribes the composition and duties of a California Advisory Council on Vocational Education and Technical Training.

This bill would rename the council to be the "California Advisory Council on Vocational Education" and would revise its membership and duties and responsibilities.

Under current law, allowances and apportionments from the State School Fund are made to regional occupational programs.

This bill would appropriate \$22,150 to the Department of Education for allocation to the Shasta County Regional Occupational Program for programs conducted in the 1976-77 fiscal year.

This bill would take effect immediately as an urgency statute.

Ch. 1231 (AB 1721) McAlister. Unemployment insurance: classified employees.

Existing law requires school employers and funding agencies under specially funded projects to pay a certain percent of the total wages paid to classified employees into the Classified School Employees Fund for unemployment insurance purposes, with a reduction in such unemployment insurance rate to be effective during the 1976-77 fiscal year only.

This bill would continue the reduction in such unemployment insurance tax rate for the 1977-78 and 1978-79 fiscal years only.

The bill would take effect immediately as an urgency statute.

Ch. 1232 (AB 1698) Keysor. Schools: elections.

Under current law, when an election is called to fill a vacancy or a deferred resignation on a school district governing board, it must be held on the next established election date not less than 74 days after the occurrence of the vacancy or after the written resignation is filed.

This bill would provide that such an election must be held on the next established election date not less than 98 days after the occurrence of the vacancy or after the written resignation is filed.

Ch. 1233 (AB 2022) Gualco Office of State Printing: employee compensation.

Existing law requires the basic wage for employees of the Office of State Printing to be the same as that paid persons in similar and comparable employment by private business in the City of Sacramento.

This bill would instead require the basic wage to be the prevailing hourly wage paid by private printers in the major metropolitan areas in California, as specified. It would direct the State Personnel Board to survey major employers and to adjust the wage rates on an equitable basis notwithstanding its wage survey if it finds that the salary relationships between surveyed classes do not accurately reflect relationships in duties and responsibilities of Office of State Printing employees. It would in addition require health benefits in an amount equal to the prevailing individual employer contributions paid to health and welfare plans by private printers in the major metropolitan areas in California, as specified, and would provide that any adjustments made pursuant to such provisions shall be effective as of March 1, 1977, and each March 1 thereafter. This bill would also allow such employees and persons retired from such employment to instead elect within 90 days of the effective date of this bill and new employees within 90 days of employment to be covered under the State Employees Medical and Hospital Care Act. It would, further, permit employees who are members of any such private health and welfare plan and who lose eligibility or for whom such plan ceases to exist to elect to be covered under the State Employees Medical and Hospital Care Act. This bill would also provide that in no instance shall the wages and health and welfare contributions paid by the state to the persons covered by these provisions be less than the dollar amount paid as of the effective date of this act.

The bill would take effect immediately as an urgency statute.

Ch. 1234 (AB 2039) Gage. Grapes: crush report.

Existing law requires the Director of Food and Agriculture to prepare a grape crush report, but does not provide funds for the cost of such report.

This bill would provide, operative July 1, 1978, for assessments to be levied on grape processors and producers for such purpose under specified terms and conditions. The funds received pursuant to such assessments would be paid into the Department of Agriculture Fund, a continuously appropriated fund.

The bill would also appropriate \$27,000 to the Department of Food and Agriculture, for the 1977-78 fiscal year, to carry out the provisions requiring the preparation of such a grape crush report.

This bill would take effect immediately as an urgency statute.

Ch. 1235 (SB 469) ~~Alquist~~ [Zenovich] *. Drought relief loans: flood protection.

The existing state law does not provide for making loans for relief from the 1977 drought conditions in connection with agricultural production.

This bill would enact the California Drought Disaster Relief Act of 1977 to provide for loans to assist agriculture suffering economic hardship resulting from the 1977 drought conditions. It would create the California Drought Disaster Relief Fund, which would be continuously appropriated, to be administered by the State Treasurer. The fund would be for purpose of financing water development and water delivery systems to replace losses of water supplies caused by drought. The bill would set forth the qualifications for obtaining loans and the purposes for which the loans may be made under the provisions of this bill. It would provide that such provisions of the bill are to remain in effect only until January 1, 1979, and as of such date are repealed, unless a later enacted statute deletes or extends such date.

The bill would appropriate \$5,000,000 † to the State Treasurer, of which \$4,000,000 would be allocated to the fund for purposes of carrying out the provisions of the bill and \$1,000,000 would be allocated to the Department of Finance for allocation for emergency repairs.

This bill would take effect immediately as an urgency statute.

Ch. 1236 (AB 579) Chacon. Bilingual education: teacher grants.

Under existing law, there is the Bilingual Teacher Development Grant Program, administered by the Student Aid Commission, which is to provide grants to persons in bilingual teacher regimes.

† Appropriation reduced to \$1,000,000 by action of the Governor

This bill would recast the provision pertaining to such program and redesignate it the Bilingual-Crosscultural Teacher Development Program and change the eligibility and amounts and uses of such grants

This bill would also appropriate from the General Fund \$525,000 † to the Student Aid Commission for the purposes of funding and administering the Bilingual-Crosscultural Teacher Development Grant Program, as specified

Ch. 1237 (AB 1148) Lanterman Conservatorships.

Under existing law, on or after the filing of a petition for the appointment of a conservator for persons who by reason of age, illness, injury, mental weakness, intemperance, addiction to drugs or other disability, a court is authorized under specified circumstances, to appoint a temporary conservator. Such temporary conservator has only such power and authority and only such duties as are necessary to provide for the temporary care, maintenance, and support of the conservatee and as may be necessary to conserve and protect the property of the conservatee from loss or injury; and such other powers and duties as may be ordered by the court.

This bill would require the temporary conservator to obtain in writing authorization from a court prior to moving the residence of the conservatee, except where an emergency exists or unless such move is required by a prior court order. The request for such authorization would be required to specify the place of the proposed new residence and the reasons therefor. Prior to granting such authorization, the court would be required to conduct a hearing in the presence of the conservatee, except as otherwise specified, who would have a right to be represented by counsel and a right to confront and cross-examine witnesses. The court would have authority to authorize the temporary conservator to move the residence of the conservatee only if it finds by a preponderance of the evidence that such move is required to prevent irreparable harm and that no less restrictive means will prevent such harm. Other special rules would apply if the conservator proposes to move the conservatee out of California.

The bill would make it a felony for a temporary conservator to willfully move a conservatee out of the state without court authorization.

The bill also would restrict the authority of the temporary conservator to sell or relinquish the conservatee's interests in real or personal property.

Existing law permits a court to appoint a temporary conservator for any person who is gravely disabled as a result of mental disorder or impairment by chronic alcoholism. Such temporary conservator has the power to determine the arrangements necessary to provide the conservatee with food, shelter and care pending the determination of conservatorship, including requiring the conservatee to be detained in specified facilities.

The bill would, with respect to such provisions, restrict the authority of the temporary conservator to sell or relinquish the conservatee's interests in real or personal property.

Existing law requires a court-ordered evaluation by the county mental health director or his designee for the purpose of recommendations regarding placement of persons found to be incompetent to stand trial, not guilty by reason of insanity, or mentally disordered sex offenders, for treatment in a state hospital, local facility, or outpatient treatment facility.

This bill would prohibit the admission of such persons to a state hospital, local facility, or outpatient treatment facility until such an evaluation by the county mental health director or his designee is completed.

The bill also would provide that no appropriation is made for reimbursement of local agencies for costs incurred by them pursuant thereto because the Legislature recognizes that during any legislative session a variety of changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government entities which, in the aggregate, do not result in significant identifiable cost changes.

Ch 1238 (AB 1756) Dixon. Juvenile court law.

Under existing provisions of the juvenile court law, it is specified that when a court orders a minor removed from the physical custody of his parent or guardian as a result of an adjudication of wardship based on criminal conduct, the order must specify that the minor may not be held in physical confinement for a period in excess of the maximum term of imprisonment which would be imposed upon an adult convicted of the offense which brought the minor under the jurisdiction of the juvenile court.

† Appropriation deleted by action of the Governor

This bill would define "maximum term of imprisonment" as the longest of the three time periods set forth in a specified provision of the law dealing with determinate sentencing of adults, without the need to follow specified procedures required in connection with the imposition of the maximum term for an adult or to consider time for good behavior or participation, plus enhancements.

It also would take effect immediately as an urgency statute.

Ch. 1239 (AB 268) Lewis. Desert native plants.

Under existing law, it is generally unlawful to willfully or negligently cut, destroy, mutilate, or remove any tree or shrub, or other specified plants, growing upon state or county highway rights-of-way, or growing upon public land or upon land not one's own, without a written permit from the owner of the land signed by such owner or his authorized agent or to knowingly sell, offer, or expose for sale, or transport for sale, any such tree, shrub, or plant, so cut or removed from state or county highway rights-of-way, or removed from public land or from land not owned by the person who cut or removed the tree, shrub, or plant without such written permit.

This bill would enact the California Desert Native Plants Act, would declare legislative intent in such connection, and would specify various species of native plants subject to subsequent revision by the Director of Food and Agriculture as specified. The bill would on its effective date be applicable only within the Counties of San Bernardino, Riverside, Imperial, Inyo, San Diego, Los Angeles, Kern, and Mono, but would authorize the Director of Food and Agriculture to thereafter at a specified annual hearing, and upon receipt of a resolution approving such change from the board of supervisors of the affected county, revise the boundaries of the areas of the state to which the provisions of the bill would be applicable. The bill would provide for the county agricultural commissioner or sheriff of the affected counties to issue permits, wood receipts, tags, and seals for a fee to be prescribed by the board of supervisors of the county where the plants are located, to persons harvesting, transporting, or processing native plants, including specific native plants which are cut or removed for wood, which would also require wood receipts provided by the department. The department would also be required to provide tags and seals with each permit issued.

The bill would make it unlawful for any person to destroy, dig up, mutilate, or harvest any living native plant, or the living or dead parts of any trees, except fruit, from state land or public land or private land without obtaining written permission from the landowner, a permit, and any required wood receipts or tags and seals.

The bill would prohibit the collection of specified native plants except for scientific or educational purposes under a special permit issued by the agricultural commissioner.

The bill would specify terms and conditions of permits, wood receipts, tags, and seals issued under the bill, and would specify the powers and duties of the various public agencies involved in such connection. The bill would make violation of any provision of the bill a crime, punishable as prescribed, and would specify enforcement powers of peace officers and other public employees.

The bill would require the Department of Fish and Game to enforce the provisions of the bill and to cooperate fully with the Department of Food and Agriculture.

The bill would require all moneys collected under the bill to be paid into the general fund of the county in which the permits, tags and seals, and wood receipts were issued.

The bill would provide that there shall be no reimbursement of local agencies for any state-mandated local costs for a specified reason.

Ch. 1240 (SB 84) Rains. Desert native plants.

Under existing law, it is generally unlawful to willfully or negligently cut, destroy, mutilate, or remove any tree or shrub, or other specified plants, growing upon state or county highway rights-of-way, or growing upon public land or upon land not one's own, without a written permit from the owner of the land signed by such owner or his authorized agent or to knowingly sell, offer, or expose for sale, or transport for sale, any such tree, shrub, or plant, so cut or removed from state or county highway rights-of-way, or removed from public land or from land not owned by the person who cut or removed the tree, shrub, or plant without such written permit.

This bill would enact the California Desert Native Plants Act, would declare legislative intent in such connection, and would specify various species of plants and trees, subject

to subsequent revisor by the Director of Food and Agriculture as specified, as constituting the regulated group of plants. The bill would on its effective date be applicable only within the Counties of San Bernardino, Santa Barbara, Ventura, Riverside, Imperial, Inyo, San Diego, Los Angeles, Kern, and Mono, but would authorize the Director of Food and Agriculture to thereafter at a specified annual hearing, and upon receipt of a resolution approving such change from the board of supervisors of the affected county, revise the boundaries of the areas of the state to which the provisions of the bill would be applicable. The bill would provide for the Department of Food and Agriculture, county agricultural commissioner, or sheriff of the affected counties to issue permits, wood receipts, tags, and seals for a fee to be prescribed by the board of supervisors of the county where the plants are located, to persons taking, transporting, or possessing regulated plants, including regulated trees which are cut or removed for wood.

The bill would make it unlawful for any person to destroy, dig up, mutilate, or take any living plant, or the living or dead parts of any trees, except fruit, of the regulated group from state land or public land without obtaining written permission from the landowner, a permit, and any required wood receipts or tags and seals.

The bill would prohibit the collection of specified native plants except for scientific or educational purposes under a special permit issued by the director.

The bill would specify terms and conditions of permits, wood receipts, tags, and seals issued under the bill, and would specify the powers and duties of the director in such connection. The bill would make violation of any provision of the bill a crime, punishable as prescribed, and would specify enforcement powers of peace officers and other public employees.

The bill would require the Department of Fish and Game to enforce the provisions of the bill and to cooperate fully with the Department of Food and Agriculture.

The bill would require all moneys collected under the bill to be paid into the general fund of the county in which the permits, tags and seals, and wood receipts were issued.

The bill would provide that there shall be no reimbursement of local agencies for any state-mandated local costs for a specified reason.

Ch. 1241 (AB 84) Dixon. Juvenile court law.

Chapter 1071 of the Statutes of 1976 made extensive changes in the law relating to juvenile courts.

This bill would authorize the maintenance and operation of sheltered-care facilities as well as contracting with private or public agencies for such centers; provide that certain functions may be performed by probation volunteers, as defined, as well as by probation aides; provide for the filing of a petition to commence proceedings in juvenile court to declare a minor a ward of the court by the probation officer rather than the prosecuting attorney; and make various clarifying and technical changes with regard to provisions affected by such act.

It would take effect immediately as an urgency statute.

The bill would appropriate \$18,000,000 to reimburse counties for costs incurred pursuant to Chapter 1071 of the Statutes of 1976, as specified.

Ch. 1242 (AB 1070) Chel. Property tax postponement.

Under the existing Senior Citizens Property Tax Assistance Law, the Gonsalves-Deukmejian-Petris Act provides a system whereby persons 62 years of age or older are paid state funds according to a schedule based on their household incomes and the amount of property taxes paid, or deemed to be paid, on their homes. With respect to persons owning their homes, such assistance ranges from a maximum of 96% of the property taxes paid on the first \$8,500 of assessed value of their homes for those with household incomes of \$3,000 or less to a minimum of 4% of such property taxes for those with household incomes of not more than \$12,000. The schedule for renters ranges from 96% for those with household incomes of not more than \$1,400 to 4% for those with household incomes of not more than \$5,000 based on a statutory property tax equivalent of \$220 in all cases. In addition, Senate Constitutional Amendment No. 16 of the 1975-76 Session (Res. Ch. 2, Stats. 1976) was approved by the voters as Proposition 13 on the ballot for the primary election held on Tuesday, June 8, 1976, and now authorizes the Legislature to provide for the postponement of property taxes on owner-occupied principal places of residence of persons of low or moderate incomes who are 62 years of age or older.

This bill would provide for property tax assistance payments to any qualified homeowner or renter, 62 years of age or older, and would also implement Proposition 13 by enacting a program for the postponement of property taxes to be operated in the following manner:

1. Persons 62 years of age or older with household incomes of \$20,000 or less, as adjusted by an inflation adjustment factor, would be authorized to apply to the Franchise Tax Board to postpone the property taxes, as defined, on specified types of owner-occupied dwellings for the 1977-78 fiscal year and fiscal years thereafter, if they have a 20% equity in such dwelling and a separate tax bill is received thereon. Claimants with homes held under a contract of sale would need to obtain the written consent of the vendor, and claimants with a life estate in such property would need to obtain the written consent of the holder of the reversionary interest, to postpone such taxes. Claimants with delinquent taxes on their homes, except in the initial fiscal year of the program's operation, would be ineligible for assistance.

2. The state would obtain a lien against property on which the taxes had been postponed and the amount of assistance to which a claimant would otherwise be entitled would be used to reduce the amount of the obligation secured by such liens.

3. Procedures would be established for claimants to pay their property taxes with "certificates of eligibility," for the redemption of such certificates by the Controller, and for foreclosure on property on which taxes were postponed in specified circumstances.

4. The amount of such postponed property taxes would not be deemed income or resources for purposes of various public assistance programs.

5. State funds would be appropriated to the Controller and to the Franchise Tax Board to finance the program, and the bill would require the Controller to report the amount of claims of local agencies for state reimbursement to compensate local government for costs mandated by specified provisions of the act.

6. The bill would take effect immediately as an urgency statute.

Ch 1243 (SB 384) Cusanovich. County superintendents of schools.

(1) In the existing law which authorizes county superintendents of schools to levy a tax rate of not to exceed 5¢ per \$100 of assessed valuation, for specified capital outlay purposes, there is a prohibition against use of the proceeds of such tax to construct any administration facilities or centers unless and to the extent that, a tax was levied and collected for such purpose in the 1972-73 fiscal year.

This bill would authorize under specified circumstances the use of the proceeds of such tax to construct administration facilities or centers.

(2) Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing the existing property tax of the county superintendents of schools to be utilized for an additional purpose.

Ch. 1244 (SB 294) Zenovich. Marriage, family, and child counselors.

Existing law provides for the licensing and regulation of marriage, family and child counselors. Under existing law an employee of a governmental agency, or of a school, college or university, or of an institution both nonprofit and charitable, is exempt from these licensing requirements and regulations.

Existing law requires such nonprofit and charitable and educational institutions to apply for waivers if they wish to employ nonlicensed persons as marriage, family and child counselors. This bill would delete this requirement.

Existing law regulates advertising by such counselors. This bill would specifically include radio, television broadcasting or any printed matter among advertising media.

Existing law provides that an applicant for a license shall have at least a master's degree and shall have 2 years of specified experience. This bill would specifically revise and define the requirements of a qualifying master's degree or doctor's degree program, including requiring all applicants after September 1, 1978, to have a master's or doctor's degree in marriage, family, and child counseling, requiring at least 2 years of specified experience under the supervision of a licensee, and authorizing gaining such experience as an unlicensed intern, as specified.

This bill would define a trainee as a person enrolled in a master's or doctor's degree program as specified, and would define an intern as an unlicensed person who has satisfied specified requirements including completion of the master's or doctor's degree requirements. This bill would prescribe conditions under which unlicensed interns may be employed, including registration, specified disclosures to clients, and time limits upon such employment. This bill would permit only specified numbers of interns to be employed by licensed counselors, psychologists, clinical social workers or certain physicians.

Existing law authorizes the examination of applicants to be written or oral or a combination of both. This bill would require passage of a written examination and, if required in the discretion of the board, an oral examination.

Existing law provides for the refusal, suspension or revocation of a license if the licensee has been convicted of a felony. This bill would provide that a conviction of a crime substantially related to the qualifications, functions, or duties of such counselors is a ground for disciplinary action and would add to such grounds for such disciplinary action, failure to satisfy specified continuing education requirements, the supervision of an intern or trainee that is not in conformity with statute or regulations, and willful unauthorized disclosure of information received in professional confidence.

Existing law requires a \$24 application fee and a \$24 renewal fee for a person desiring to be licensed, or to renew a license, as a marriage, family, and child counselor. This bill would increase such fees to \$30. It would also require a registration fee for an intern of \$15, an examination fee not to exceed \$30, and a required renewal fee of \$7.

The increased fees would result in an increase in the amount of the fees deposited in a continuously appropriated fund.

Ch. 1245 (SB 588) Wilson. Sales and use taxes.

Under existing Sales and Use Tax Law, prosthetic and orthotic devices as well as wheelchairs, crutches, canes and walkers are subject to the imposition of sales and use taxes. This bill would exempt these items from sales and use taxes until January 1983, and would make other minor changes.

The bill would provide that notwithstanding Section 2230 of the Revenue and Taxation Code there shall be no reimbursement or appropriation for a specified reason.

Ch. 1246 (AB 1288) Lockyer Child development services: alternative child care programs.

Existing statutes prescribe maximum reimbursement rates for child development services and for alternative child care programs.

This bill would delete such prescribed maximum reimbursement rates and would require the Superintendent of Public Instruction to establish reasonable standards and maximum reimbursement rates therefor.

This bill would also reenact a provision relating to establishment by the Superintendent of Public Instruction of fee schedules and eligibility guidelines.

This bill would also state a legislative declaration of the necessity to design and implement a child care reimbursement system which would accomplish specific purposes.

Under the California Community Care Facilities Act, the State Department of Health is required to license, inspect, and evaluate certain child care facilities and such evaluation for a day care facility for children is limited to health and safety considerations. The department is required to carry out a program for the licensing, inspection, and evaluation of day care facilities.

This bill would delete from such provision the duty to evaluate, would make the evaluation provisions applicable, instead, to licensing reviews, and would limit the review of day care facilities for children, as specified.

This bill would also appropriate to the Department of Education for apportionment to eligible agencies for the purpose of expanding regular and alternative child care programs \$5,000,000 for fiscal year 1977-78 and \$6,250,000 for fiscal year 1978-79. This bill would establish maximum reimbursement levels for fiscal year 1977-78, and would specify numerous other conditions upon the appropriation.

This bill would take effect immediately as an urgency statute.

Ch 1247 (AB 1250) Lanterman. Special Education. California Master Plan.

Existing statutes, which would cease to have force and effect on July 1, 1978: create a pilot program for providing educational services for individuals with exceptional needs, as defined; require establishment of a California Master Plan for Special Education administered by the Superintendent of Public Instruction, authorize county superintendents of schools, with the approval of the county board of education, to submit to the Superintendent of Public Instruction a local comprehensive plan, as defined, for the education of specified individuals in the county with exceptional needs; provide that the State Board of Education shall approve not to exceed 10 such local plans for a period not to exceed 3 years; require the county superintendent of schools to perform various prescribed review and submission functions re plans formulated within the county, authorize school district governing boards to elect from 3 specified alternatives in order to receive assistance from the Superintendent of Public Instruction; provide for elements of local comprehensive plans and programs; specify that no pupil may be required to participate in any special class or program unless the parent or guardian first consents in writing; establish a resource specialist program and an educational assessment service with specified duties in connection with such programs; require participating responsible local agencies to submit at least annually a report to include specified information to the Superintendent of Public Instruction and require him to submit to various officials and each responsible local agency, an annual evaluation of special education programs; require the Superintendent of Public Instruction to review and conduct onsite audits of each approved program; and require the superintendent to make related apportionments from the State School Fund in various specified amounts, to each participating school district and office of the county superintendent of schools.

This bill would: revise the legislative findings and declarations; eliminate the characterization of the program as a pilot program; eliminate the limitation to 10 local plans and the limitation to a 3-year period, and eliminate the July 1, 1978, termination date of the statutes; provide for the phase-in of the master plan statewide; revise various definitions and make related changes; revise the duties of the State Board of Education, the Superintendent of Public Instruction, and county superintendents of schools; require school districts to select, to the extent that state and federal funds are available therefor, 1 of 3 prescribed courses of action; provide, if statewide master plan implementation funds are not appropriated, for the continuation of certain special education programs, as specified; expand and revise the requirements for local comprehensive plans; expand and revise the duties of the resource specialist plan; provide for individualized educational programs, including at secondary grade levels; require parental consent before assessments may be conducted and revise related time limitations, provide for coordinated staff development programs; revise review procedures and provide for procedural due process and fair hearing panels; provide for contracts for nonpublic school services, as specified; revise the requirements for annual review by the Superintendent of Public Instruction and reduce the number of officials to whom an annual evaluation report is submitted; require the superintendent to provide for onsite program and fiscal reviews, instead of audits; require the Department of Education to contract for a specified independent evaluation of such programs; revise, by specified amounts, related apportionments; limit the number of pupils for whom allowances are paid under a local comprehensive plan to 11% of the statewide average daily attendance, specify that related instructional materials are property of the state; appropriate from the General Fund to the Department of Education \$400,000 annually, plus annual inflation adjustments, as specified, for contracts or grants for specified research; revise authorization for related tax levies, as specified; and make other related and technical changes.

Existing statutes require allowances for various categories of instruction of various handicapped pupils. This bill would require such allowances to be increased by 6% annually.

Existing statutes limit the number of special day classes for the multihandicapped, which the Superintendent of Public Instruction may approve, to 400. This bill would delete such limitation.

Existing statutes authorize school districts and county superintendents of schools to provide one or more specified special educational programs for educationally handicapped pupils. This bill would change such authorization to a requirement to provide all such specified programs and would include in such programs contracts with private

schools, as specified.

Existing statutes limit the number of educationally handicapped pupils of a district which may be enrolled in special educational programs for educationally handicapped pupils to 2% of the total district enrollment. This bill would delete such limitation.

Existing statutes create an Advisory Commission on Special Education.

This bill would increase from 9 to 12 the number of public members appointed thereto by the State Board of Education.

This bill would repeal, reenact, and revise the statutes relating to education for exceptional children in nonpublic schools.

This bill would also provide for excess cost reimbursements to parents and guardians for exceptional children educated in nonpublic schools between September 1, 1977, and June 30, 1978, as specified, including reimbursement during the fiscal year in which the attendance occurred; to be operative on January 1, 1978.

This bill would also make mandatory the special education of mentally retarded pupils of kindergarten age and would authorize the special education of mentally retarded pupils who are less than 22 years of age.

This bill would require development by August 1, 1978, of specified guidelines for the use, if any, of aversive procedures in the education of individuals with exceptional needs.

Existing law establishes the California School for the Deaf, the California School for the Blind, and 3 state diagnostic schools for neurologically handicapped children.

This bill would redefine the purposes of the school for the deaf and the school for the blind and would impose specified additional functions on such schools. This bill would also specify that for purposes of the functions of the state diagnostic schools for neurologically handicapped children, neurologically handicaps include autism. The bill would impose specified additional functions on the state diagnostic schools.

This bill would also require the State Board of Education to report to the Legislature by January 31, 1978, relating to modification of the classifications within special education programs and by January 1, 1978, and annually for 2 more years, on the estimated special education program costs during each current fiscal year for master plan participating districts and nonparticipating districts, as specified; to be operative on January 1, 1978.

This bill would, except as otherwise specified, become operative on July 1, 1978.

This bill would also make technical and corrective changes.

Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing additional property taxes.

This bill would provide that, notwithstanding Sections 2229, 2230, and 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to those sections nor shall there be any appropriation made by this bill for a specified reason.

Ch. 1248 (SB 456) Campbell. California Fire Service Training and Education Program.

Under existing law, the State Board of Fire Services is required to establish minimum standards for fire service personnel and to recommend curricula for courses and seminars in fire science and technology and, in cooperation with the Department of Education, to establish standards and procedures and a program for certification of fire protection personnel and instructors.

This bill would delete such existing law and would require the board, in cooperation with the State Fire Marshal, to establish and validate minimum standards for all fire protection personnel and fire protection instructors; to develop, validate, update, copy-right, and maintain security over examinations for such fire protection personnel and instructors; to make such examinations available to other state agencies, political subdivisions, and testing organizations; and to establish fees.

This bill would establish the California Fire Service Training and Education Program in the office of the State Fire Marshal which would remain in effect only until January 1, 1980.

The State Fire Marshal would be required to employ necessary staff and a program manager to carry out the program.

The bill would give the State Fire Marshal powers, duties, and responsibilities with respect to fire service training and education on a voluntary basis to fire departments that rely extensively on volunteers, verification of fire service personnel requirements, requirements for curriculum, facility, and faculty teaching, the making or encouraging of studies, and the determining of need for and making recommendations on locations of regional training sites.

This bill would appropriate \$458,000 † to the State Fire Marshal for expenditure during the 1977-78 fiscal year, as specified, to carry out the California Fire Service Training and Education Program.

The State Fire Marshal would be required to establish priorities for the use of state and federal funds in statewide programs relating to fire service training and education, except for funds administered by the Department of Forestry.

Ch. 1249 (SB 871) Garamendi. Department of Education: special schools: transportation allowances.

Under existing law, there is no provision regarding the transportation of pupils in residence at each of the special schools maintained by the Department of Education.

This bill would provide for an allowance of up to \$389 per fiscal year per unit of average daily attendance of five-day residential pupils in special schools maintained by the Department of Education for transportation to and from the pupil's home on week-ends and school holiday periods. This bill would provide for the annual transfer of \$0.09 per unit of statewide average daily attendance from the General Fund to the State School Fund for the purpose of making such allowances, and would require the Superintendent of Public Instruction to adopt rules and regulations pertaining thereto.

Ch. 1250 (AB 1592) Alatorre. Research on prisoners.

Existing law generally prohibits the use of organic therapy, including, among other things, psychosurgery, shock therapy, and the use of drugs, as specified, on persons confined in specified state institutions without their consent.

This bill, in addition, would prohibit the conduct of any biomedical research on any prisoner in this state without his or her informed consent unless the medical facilities in the prison meet specified standards. Informed consent would not be required for participation in behavioral research if the board determines that it would be unnecessary or significantly inhibit the conduct of such research. It would establish a scheme for regulating and controlling the conduct of behavioral and biomedical research, including creating the Institutional Review Board to oversee such research. It would permit a prisoner to sue for injuries resulting from wrongful or negligent acts during the prisoner's participation in such research program. It would require prisoners to be paid for participating in such research programs.

Existing law exempts clinical laboratories owned and operated by the Department of Corrections from the provisions of law regulating clinical laboratories.

This bill would delete such exemption after July 1, 1979, as to any clinical laboratory of the Department of Corrections which conducts biomedical or behavioral research as specified.

Ch. 1251 (SB 1050) Zenovich. Special education: autistic pupils.

Existing law includes autistic pupils within the special education category of educationally handicapped. County superintendents of schools are authorized to levy taxes for the education program for the physically handicapped but not for the educationally handicapped.

This bill would, until January 1, 1981, transfer autistic pupils from the special education category of educationally handicapped to the special education category of physically handicapped, for funding purposes, as specified.

Existing law grants the homeowners' property tax exemption in the amount of \$7,000 of the full value of qualified dwellings and continuously appropriates state funds for subventions to local government to compensate for property tax revenues lost by reason of such exemption.

This bill would increase the amount of such appropriation by authorizing an increased rate of property tax.

This bill would provide that, notwithstanding Section 2231 of the Revenue and Taxa-

† Appropriation reduced to \$90,000 by action of the Governor.

tion Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by the bill for a specified reason

This bill would take effect immediately as an urgency statute.

Ch. 1252 (SB 363) Gregorio State government reorganization: health and welfare

Under existing law, the Health and Welfare Agency consists of the departments of Benefit Payments, Health, Employment Development, Rehabilitation, Aging, the Youth Authority, and Corrections. The agency also includes the Office of Alcoholism and the State Office of Narcotics and Drug Abuse. The Department of Benefit Payments performs accounting, claims processing, payment, audit and other fiscal functions for the departments of Health and Employment Development.

This bill would dismantle the departments of Health and Benefit Payments, abolish the Office of Alcoholism, remove the Youth Authority and the Department of Corrections from the Health and Welfare Agency on July 1, 1979, and establish within the agency the departments of Health Services, Mental Health, Developmental Services, Social Services, Alcohol and Drug Abuse, and the Office of Statewide Health Planning and Development. The departments would perform their own fiscal functions. The State Department of Alcohol and Drug Abuse would succeed to the duties and jurisdiction of the Office of Alcoholism, and the substance abuse function of the former State Department of Health, and have a Division of Alcohol and a Division of Drug Abuse.

The bill would authorize the Governor, upon recommendation of the department director or agency secretary and with the consent of the Senate, to appoint 1 chief deputy for the directors of the departments of Health Services, Mental Health, Developmental Services, Social Services, and Rehabilitation and 3 deputies for the Secretary of the Health and Welfare Agency. It would also increase the number of deputy directors in the Employment Development Department from 4 to 5.

The bill would declare the Legislature's intent that the Governor prepare and submit to the Legislature by January 31, 1979, an executive reorganization plan which would remove the Department of Corrections and the Youth Authority from the Health and Welfare Agency, operative on or before July 1, 1979.

The bill would provide that any legislation enacted during the 1977 portion of the 1977-78 Regular Session which takes effect on or before January 1, 1978, and affects a section affected by this bill, shall prevail over this bill.

The bill would become operative on July 1, 1978, except that the 3 deputy positions in the Health and Welfare Agency would become operative on January 1, 1978.

Ch 1253 (AB 1533) Knox. Cities: organization, reorganization, or changes of organization

Existing law contains provisions outlining the procedure for the annexation to, or exclusion of, territory from cities and for the consolidation of cities, the formation of new cities, and the reorganization and disincorporation of cities.

This bill would repeal the above provisions of existing law and enact a Municipal Organization Act which would provide the procedure for the organization, reorganization, or change in organization of cities.

This bill would also provide that no appropriation is made and the state shall not reimburse local agencies for costs incurred by them pursuant to this bill.

Ch 1254 (SB 986) Greene Schools: regional career guidance centers.

Existing law provides for a pilot career guidance center.

This bill would delete existing statutory authority for the pilot program, and would provide for a regional career guidance center in San Diego and Los Angeles Counties.

This bill would provide for the establishment of local advisory committees and would require the State Board of Education to adopt guidelines for the operation of the centers.

This bill would appropriate \$300,000 † from the General Fund to the State Board of Education for apportionment to regional career guidance centers and for the administration of the program.

This bill would take effect immediately as an urgency statute.

† Appropriation reduced to \$250,000 by action of the Governor.

Ch. 1255 (SB 792) Dunlap Public libraries

Present law provides for a program of grants to public libraries to be administered by the State Librarian.

This bill would repeal those provisions and add a new chapter to the Education Code to be known as the California Library Services Act.

This bill would set forth various legislative findings, declarations, and purposes for this act, such as, for example, to encourage and enable the sharing and coordination of library resources and services among and between library systems, state reference centers, and specified libraries.

This bill would, among other things, provide for funding by grants and reimbursements specific qualifying library systems and would make provision for upgrading services to underserved residents.

This bill would establish the California Library Services Board whose duties would include, among other things, adopting rules, regulations, and general policies relating to the implementation of this bill. The State Librarian would be designated the chief executive officer of the state board and would administer the provisions of this bill.

This bill would provide for the establishment and creation of state reference centers to answer reference requests that cannot be met by systems and libraries participating in the programs authorized by this act.

This bill would create a computerized bibliographic data base to facilitate the location of information and library materials

This bill would appropriate from the General Fund to the State Library the sum of \$140,000 for the 1977-78 fiscal year and \$6,460,000 † for the 1978/79 fiscal year * for the purpose of implementing the provisions of this bill.

Ch. 1256 (AB 1434) Gage. Victims and witnesses of crime. assistance centers.

Existing law provides for indemnification of victims of crime for certain unrecompensed losses, but provides no assistance for witnesses of crimes.

This bill would direct the Office of Criminal Justice Planning to designate certain public or private nonprofit agencies who apply therefor as victim and witness centers to provide specified services and assistance to victims and witnesses of crime. It would state the intent of the Legislature that the state shall fund an amount declining from 90% to 50% of the costs of this program from January 1, 1978, to January 1, 1983, provided local governments contribute the remainder of such costs, and that after January 1, 1983, any such center which is continued shall be supported by local funding entirely.

The bill would appropriate \$1,000,000 †† to the Office of Criminal Justice Planning for purposes of the bill.

Ch 1257 (AB 1189) Thurman. Courts.

(1) Existing law prescribes the compensation for official reporters and official reporters pro tempore appointed for the superior and municipal courts in Sacramento County.

This bill would increase such compensation.

(2) Existing law provides for the number, positions, and compensation of court personnel for the superior and municipal courts in Merced and Stanislaus Counties.

This bill would increase the compensation of specified personnel in such courts, would authorize additional personnel in the Merced County Municipal Court, and would also make provision for a mileage allowance for official reporters in the Merced County Municipal Court under specified conditions.

(3) Present law also requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in certain counties, and to audit and inspect such records, and submit an annual report to the boards of supervisors of the certain counties and also to the Legislature summarizing the information contained in the records.

This bill would require the Judicial Council to also provide for the maintenance of such records for Sacramento County and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of Sacramento County and the Legislature.

The bill would make the provisions of the bill which relate to Sacramento County inseverable.

The bill would further provide that the provisions of the bill which relate to the

† Appropriation reduced to \$5,300,000 by action of the Governor

†† Appropriation deleted by action of the Governor.

compensation of court reporters in Merced and Stanislaus Counties and a provision of existing law relating to the maintenance of records regarding court reporters in Merced and Stanislaus Counties are inseverable.

(4) Existing law gives justice courts the same jurisdiction as municipal courts

This bill would revise various provisions of the law to make procedures, practice, and fee provisions for justice courts the same as those of municipal courts

In addition, this bill would, among other things, revise provisions of the law to increase various fees required to be paid for court documents and to jurors and would revise other specified provisions of the law relating to court procedures

This bill incorporates additional changes in Section 594 of the Code of Civil Procedure proposed by AB 1867, changes in Section 806 of the Penal Code proposed by SB 815, and changes in 1050 of the Penal Code proposed by AB 513, to be operative only if AB 1867, SB 815, and AB 513, respectively, and this bill are chaptered and become effective and this bill is chaptered last.

This bill would also provide that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to the bill for a specified reason.

This bill would take effect immediately as an urgency statute.

Ch. 1258 (SB 403) Greene. Task Force on Rural Economy.

Existing law does not provide for a Task Force on Rural Economy to deal with rural economic development problems

This bill would create a Task Force on Rural Economy appointed by the Chairman of the Commission for Economic Development. The task force would be required to assist the commission in a study of economic development of rural areas of California, and to report to the Legislature and Governor on this subject on or before June 30, 1978

The bill would make an appropriation since it would make funds appropriated to the Commission for Economic Development available for expenditure for new purposes

Ch. 1259 (SB 492) Garamendi. Court reporters. El Dorado County.

Existing law specifies the compensation of superior court reporters in El Dorado County.

This bill would increase the compensation of such reporters and would permit the board of supervisors to make salary adjustments. The bill would make a related, conforming change.

Existing law does not expressly permit the Board of Supervisors of Lake County to establish the salaries of official reporters of the superior court in Lake County

This bill would permit the Board of Supervisors of Lake County to establish such salaries and would define the duties of such reporters.

Present law requires the Judicial Council to provide by rule for the maintenance of specified records regarding the work product and fees of official court reporters in certain counties, and to audit and inspect such records, and submit an annual report to the boards of supervisors of the certain counties and also to the Legislature summarizing the information contained in the records

This bill would require the Judicial Council to also provide for the maintenance of such records for El Dorado and Lake Counties, and to also audit and inspect such records and submit an annual report of the records to the Board of Supervisors of El Dorado and Lake Counties and the Legislature

The bill makes certain findings declaring that the subject of the bill requires legislative action affecting El Dorado and Lake Counties.

This bill would also make such provisions of the act inseverable

The bill would also provide that no appropriation or reimbursement shall be made because the act is in accordance with the request of a local government entity which desired authority to act pursuant to the act.

Ch 1260 (SB 618) Song. Juries. peremptory challenges.

Existing law provides that a defendant and the state are each entitled to 13 peremptory challenges to dismiss prospective jurors, except that each are entitled to 26 peremptory challenges where the offense charged is punishable with death or life imprisonment. When 2 or more defendants are jointly tried for any public offense, the

defendants are entitled to the same number of challenges jointly as a single defendant would have, each of the joint defendants is also entitled to 7 additional challenges which may be exercised separately. The state is entitled to an equal number of challenges.

The bill would provide that in trials for an offense punishable with a maximum term of imprisonment of 90 days or less, the defendant and the state are each entitled to 6 peremptory challenges. In joint misdemeanor trials for such offenses the defendants would be entitled to the same number of challenges jointly as a single defendant would have; each of the joint defendants would also be entitled to 4 additional challenges which may be exercised separately. The state would be allowed an equal number of challenges.

Ch 1261 (SB 699) Petris. State Teachers' Retirement System. benefits

Existing State Teachers' Retirement Law permits members to receive credit for time served in active military service and uniformed auxiliaries and the American Red Cross if they were employed in positions requiring membership in the system within 1 year prior to entering such service.

This bill would in addition permit retrants who left a position requiring membership to serve in a federal governmental position during World War II within 13 months prior to entering service with the American Red Cross to receive service credit for the later service upon application to the Teachers' Retirement Board on or prior to December 31, 1978. It would provide that this provision shall remain in effect only until January 1, 1979, and as of such date would be repealed.

DIGESTS OF RESOLUTIONS AND PROPOSED
CONSTITUTIONAL AMENDMENTS
ADOPTED IN 1977

1977-78 REGULAR SESSION

RESOLUTION CHAPTERS

Res Ch 1 (SCR 2) Mills Organizational recess bill introduction.

This resolution provides that following the meetings of the Legislature on December 6, 1976, each house shall be in recess from such time as the house determines, but not later than December 10, 1976, and until January 3, 1977

The resolution further sets forth a procedure for introduction, numbering, printing, and referral of bills during the recess, providing that such bills shall be read in each house for the first time upon reconvention of the Legislature in January. The resolution additionally provides for the printing of journals and daily and weekly histories during the recess

Res Ch 2 (ACR 1) McCarthy Legislative Counsel of California

This measure designates Bion M. Gregory as Legislative Counsel of California.

Res Ch 3 (SCR 1) Mills. Joint Rules

This measure adopts the Temporary Joint Rules of the Senate and the Assembly for the 1977-78 Regular Session

Res Ch. 4 (ACR 6) Lanterman State Air Resources Board Laboratory

This measure would name the laboratory of the State Air Resources Board the Haagen-Smit Laboratory after Dr. Arie Jan Haagen-Smit, first chairman of the board and a leading scientist in the air pollution control field

Res. Ch 5 (SCR 10) Holmdahl. Oakland Raiders world's championship of professional football

The measure would commend the Oakland Raiders football team upon its winning of the "Super-Bowl" and the professional football championship of the world.

Res Ch 6 (SCR 9) Song Justice Sullivan

This measure would commend the Honorable Raymond L. Sullivan, Associate Justice of the California Supreme Court, upon the occasion of his retirement from the bench.

Res. Ch 7 (SCR 8) Song Donald R. Wright.

This measure would commend Donald R. Wright, Chief Justice of California, on the occasion of his retirement

Res. Ch 8 (ACR 15) Cullen State Bar examination facilities.

This measure would encourage the State Bar to secure adequate publicly owned facilities appropriate for administering and conducive to taking a bar examination and would request state agencies to cooperate with the State Bar and to make available such public facilities.

Res Ch. 9 (SCR 22) Holden Alex Haley.

This measure would commend author Alex Haley on his literary achievements.

Res. Ch. 10 (ACR 16) Gualco. Water conservation

This measure would request all local government agencies to immediately evaluate their local water needs at least through October 31, 1978, and to institute all appropriate water conservation methods.

The measure would also request the Department of Water Resources to provide technical assistance to public agencies in evaluating water supplies and demands and in implementing water conservation programs.

Res. Ch. 11 (SCR 7) Holmdahl. Joint Committee on the State's Economy.

This measure would increase the membership of the Joint Committee on the State's Economy from four members of each house to seven members of each house.

Res Ch 12 (SCR 20) Behr Workers' compensation: Longshoremen's and Harbor Workers' Compensation Act.

This measure would request the Insurance Commissioner to delay the setting of minimum rates to be charged in application of the Longshoremen's and Harbor Workers' Compensation Act to the recreational boating industry and the commercial fishing industry until federal litigation is completed and the question of applicability of the Longshoremen's and Harbor Workers' Compensation Act to the recreational boating industry and the commercial fishing industry is adjudicated.

Res Ch 13 (SJR 1) Dills. Elections: popular election of the President and Vice President.

Memorializes Congress to adopt SJR 1 proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States and to enact laws as are necessary to implement such procedure.

Res Ch 14 (ACR 14) Dixon. Juvenile court law.

Chapter 1071 of the Statutes of 1976, operative January 1, 1977, made extensive changes in the Juvenile Court Law. This measure expresses legislative recognition of the fact that counties, even though making good faith efforts, may not have been able to comply with the provisions of Chapter 1071 by that date, and expresses its intention that, in any event, full compliance shall be achieved no later than July 1, 1977.

Res. Ch. 15 (SCR 16) Greene. Joint Committee on Job Development

This measure would continue the Joint Committee on Job Development in existence and provide for its membership, powers, and duties relative to job development for the people of the state during the 1977-78 Regular Session.

Res. Ch 16 (SCR 3') Stull Easter recess: bill introduction

This resolution provides that following the meeting of the Legislature on March 31, 1977, each house shall be in recess from such time as the house determines, including the period from April 1, 1977, to April 11, 1977.

The resolution further sets forth a procedure for introduction, numbering, printing, and referral of bills during the recess, providing that such bills shall be read in each house for the first time upon reconvention of the Legislature on April 11. The resolution additionally provides for the printing of journals and daily and weekly histories during the recess.

Res. Ch. 17 (ACR 4) McAlister. California Law Revision Commission.

Existing law requires the California Law Revision Commission to file a report at each regular session of the Legislature containing a calendar of topics selected by it for study, including a list of studies in progress and a list of topics intended for future consideration, and, after the filing of the commission's first report its studies are confined to topics set forth in the calendar contained in its last preceding report which are thereafter approved for its study, or referred to it for study, by concurrent resolution of the Legislature.

This resolution would authorize the commission to continue its study of numerous specified topics which the Legislature has previously authorized or directed the commission to study, and would remove two topics from the calendar of topics for study.

Res. Ch. 18 (SJR 3) Garcia Bilingual television: "Villa Alegre."

This measure would memorialize the President and the Congress of the United States to enact legislation to assure the continuance of the bilingual children's television program, "Villa Alegre."

Res. Ch. 19 (ACR 21) Bane. Practice of cosmetology

This measure requests the enforcement division of the Department of Consumer Affairs to cease citing unlicensed individuals providing the simple beauty services of affixing false fingernails for violations of the Business and Professions Code until 4 months after the enactment of the resolution or until August 1, 1977, whichever is sooner.

Res. Ch 20 (SJR 9) Deukmejian. Grandparents' Day

This measure would memorialize the Congress to designate, and the President to proclaim, the second Sunday in April of each year as Grandparents' Day.

Res. Ch 21 (SCR 19) Briggs Park acquisitions in the Chino Hills.

This measure would request the Department of Parks and Recreation, in cooperation with designated counties on a shared-cost basis, to study the feasibility of acquiring lands in the Chino Hills for park purposes and to report thereon to the Legislature on or before September 1, 1977

Res. Ch. 22 (SCR 36) Greene Deaf awareness.

This measure would proclaim the month of May, 1977, as "Deaf Awareness Month" throughout the State of California, and call on all public and private organizations to plan and carry out appropriate educational and informative programs in the area of hearing impairment

Res. Ch. 23 (AJR 3) Chappie. Pasture and grazing land: shift-in-land use

This measure would memorialize the President and Congress to substantially increase the funds that may be used for the shift-in-land-use program under the Consolidated Farm and Rural Development Act (7 U S C. 1921, et seq.).

Res Ch 24 (SCR 3) Mills. State agencies: evaluation

This measure would direct the Legislative Analyst to undertake a specified review and evaluation of the "sunset" concept, a review procedure of governmental units, programs, and agencies emphasizing the termination of inefficient or unnecessary governmental units, programs, or agencies, in order to evaluate its feasibility and most appropriate form as a more effective mechanism to aid the Legislature in its decision-making process regarding the future of existing governmental units, programs, and agencies.

In addition, this measure would direct the Legislative Analyst to obtain the cooperation of state agencies, the office of the Auditor General, and the Commission on California State Government Organization and Economy and would require the analyst to report his findings and recommendations to the Legislature on or before December 1, 1977.

Res. Ch 25 (SJR 5) Papan. Rail right-of-way between San Bruno and Daly City.

Memorializes the Interstate Commerce Commission to grant the application of the Southern Pacific Transportation Commission to abandon a rail right-of-way between San Bruno and Daly City with the stipulation that the right-of-way not revert to the owners of such land for at least 2 years so that the public transit districts concerned will have an adequate opportunity to acquire the right-of-way.

Res. Ch 26 (SJR 16) Mills. Tuna fishing industry.

The measure would memorialize the President and the Congress to take prompt actions to assure the continued operation of the American tuna fishing industry, consistent with continuing efforts to reduce the incidental mortality of porpoises.

Res. Ch. 27 (ACR 53) Boatwright. Joint Rules: conference committees on the Budget Bill

The existing Joint Rules require that the Committee on Conference of the Budget Bill only consider differences between the version of the Budget Bill as passed by each house.

This measure would amend such provision to require that a conference committee on a Budget Bill consider only differences between the Assembly and Senate versions of the Budget Bill as passed by the Assembly and Senate, respectively.

Res. Ch. 28 (SCR 45) Behr Silver Jubilee of Queen Elizabeth II.

This measure would congratulate Queen Elizabeth II on the occasion of the Silver Jubilee of her reign.

Res. Ch. 29 (SCA 15) Alquist. Property tax exemption.

Existing constitutional law provides that all property is subject to property taxation, unless an exemption is otherwise provided in the Constitution. There is no provision in the Constitution which would exempt property on the basis that it is used as a solar energy system.

This measure would authorize the Legislature to exempt from property taxation all or any portion of property which is used as an alternative energy system which is not based on fossil fuels or nuclear fuels.

Res. Ch. 30 (ACR 17) McVittie. Feasibility study: acquisitions in the Chino Hills.

This measure would request the Department of Parks and Recreation to study the feasibility of acquiring lands in the Chino Hills for park purposes and to report thereon to the Legislature on or before March 1, 1978.

Res. Ch. 31 (AJR 14) Lehman. Auburn Dam construction.

This measure would memorialize the President and the Congress to continue the funding of Auburn Dam in fiscal year 1977-78 in order that funds would be available either (1) to begin the main dam construction if the dam is determined to be seismically safe, or (2) to begin redesign efforts necessary to make the dam seismically safe.

The measure would provide that nothing in the measure is to be construed as favoring or opposing the further construction of the Folsom-South Canal.

Res. Ch. 32 (AJR 29) Keysor. Earthquakes.

This measure memorializes Congress to act on pending legislation creating a national earthquake hazards program.

Res. Ch. 33 (AJR 9) Hayden. Pests: Gypsy moth eradication.

This measure would memorialize the President, Congress, and the Secretary of Agriculture to take all the necessary actions to raise the priority of, and to substantially increase expenditures for, the Gypsy moth eradication program west of the Mississippi River and for Gypsy moth population control program east of the Mississippi River and to continue existing quarantine programs.

Res. Ch. 34 (AJR 12) Calvo. Air pollution: enforcement of federal standards.

This measure would request Congress and the Council on Environmental Quality to investigate the unequal enforcement policies of the Environmental Protection Agency with regard to air pollution control on new industrial development and would request the Environmental Protection Agency to enforce the Clean Air Act and the regulations adopted thereunder equally.

Res. Ch. 35 (AJR 26) Papan. Telecommunications: telephone rates.

This measure (1) expresses the interest and concern of the California Legislature regarding an investigation by Congress into telephone competition and interconnection; (2) requests Congress to include in its deliberations a full inquiry into the possible economic impact of any actions it may contemplate; and (3) requests the Federal Communications Commission to authorize competition in telecommunications only where feasible and in the public interest.

Res. Ch. 36 (SJR 2) Alquist. Telephone competition.

Memorializes the Congress of the United States, in investigating telephone competition and interconnection, to consider the effects of any legislative action in the area on telephone rates applicable to the general public, and particularly to low-income individuals and small business.

Memorializes the Federal Communications Commission to delay full implementation of its policies fostering competition until Congress has had the opportunity to complete its investigation and develop national policy.

Res. Ch. 37 (AJR 35) Antonovich. Human rights.

This measure declares that the sustained interest of the American people regarding adherence to the Helsinki Declaration be conveyed to the Soviet government

Res. Ch 38 (SCR 47) Joint Legislative Audit Committee Appropriation.

This measure would make \$2,100,000 available from the Contingent Funds of the Assembly and Senate for expenses of the Joint Legislative Audit Committee.

Res. Ch. 39 (SCR 48) Beverly Olympic games: site for 1984.

By this measure the Legislature expresses its support and encouragement to the City of Los Angeles in its bid for selection as the site for the XXIII Olympiad in 1984

Res. Ch 40 (ACR 5) Stirling. Death penalty.

Under existing law criminals sentenced to death whose sentences are reduced by judicial decision are eligible for parole. Under laws to be in effect after July 1, 1977, a parole date would have to be set unless the gravity of the current convicted offense or offenses, or the timing and gravity of current or past convicted offense or offenses, is such that consideration of the public safety requires a more lengthy period of incarceration

This resolution would urge the Adult Authority or its legal successor to deny such parole in all such cases

Res. Ch. 41 (ACA 22) Hughes City charters: boards of education.

The Constitution currently authorizes city charters to provide for the manner in which, the times at which, and the terms for which members of boards of education shall be elected or appointed, for their qualifications, compensation and removal, and for the number of members. Persons residing outside the boundaries of a city are not entitled to vote on amendments to the charter of such city.

This measure would require any proposed amendment to the city charter dealing with the manner in which, the times at which, or the terms for which members of boards of education shall be elected or appointed, their qualifications, compensation, or removal, and the number of members of the governing board of a city school district or community college district to be submitted to and approved by a majority of all the qualified electors of the school district or community college district voting on the question, including persons residing in such a district but outside the city boundaries

Res Ch. 42 (ACR 11) Calvo. Open-space land.

Requests the Department of Food and Agriculture to review the appropriateness and adequacy of the prime agricultural land definitions in the Williamson Act and report to the Legislature the findings and conclusions from such review and alternative definitions and recommendations.

Res. Ch. 43 (ACR 29) Mangers. Professional reporting: central files.

This measure would state the legislative intent with regard to the implementation of Section 800 of the Business and Professions Code relating to the creation and maintenance of a central file of the names of all persons who hold licenses, certificates, or similar authorizations from specified healing arts boards.

Res. Ch. 44 (AJR 30) V. Thomas. Marine Mammal Protection Act of 1972.

This measure would memorialize Congress to amend the Marine Mammal Protection Act of 1972 in a specified manner to provide for the conservation of marine mammals while conserving and developing the yellowfin tuna resource and preserving a healthy United States tuna fleet

Res. Ch. 45 (SJR 8) Smith. Displaced homemakers.

This measure would memorialize Congress to enact legislation which would establish displaced homemaker centers throughout the United States

Res. Ch 46 (SCR 49) Song. Ralph N Kleps.

Commends Ralph N. Kleps, the Administrative Director of the Courts, upon the termination of his career in state service.

Res Ch. 47 (SCA 26) Greene City charters boards of education

The Constitution currently authorizes city charters to provide for the manner in which, the times at which, and the terms for which members of boards of education shall be elected or appointed, for their qualifications, compensation and removal, and for the

number of members. Persons residing outside the boundaries of a city are not entitled to vote on amendments to the charter of such city.

This measure would require any proposed amendment to the city charter dealing with the manner in which, the times at which, or the terms for which members of boards of education shall be elected or appointed, their qualifications, compensation or removal, or the number of members of the governing board of a city school district or community college district, to be submitted to and approved by a majority of all the qualified electors of the school district or community college district voting on the question, including persons residing in such a district but outside the city boundaries.

Res. Ch. 48 (SCA 25) Holmdahl. Administrative agencies: powers

The Constitution presently contains no provision prohibiting administrative agencies from declaring a statute unconstitutional.

This measure would expressly provide that an administrative agency, including any agency created by the Constitution or initiative statute, has no power to declare a statute unconstitutional.

In addition, it would expressly provide that an administrative agency, including an agency created by the Constitution or initiative statute, has no power to declare a statute unenforceable, or refuse to enforce a statute, on the basis of it being unconstitutional, or that federal law or regulations prohibit its enforcement, unless an appellate court has made a determination that such statute is unconstitutional or that its enforcement is prohibited by federal law or regulations.

Res. Ch. 49 (SCR 25) Dills. Alcoholic beverage club licenses.

This measure resolves that the Legislature withhold passage of legislation dealing with the creation of new categories of alcoholic beverage club licenses during the 1977-78 Session of the Legislature.

Res. Ch. 50 (SCR 42) Carpenter. Joint Legislative Budget Committee.

Under the existing joint rules and statutes, the Joint Legislative Budget Committee is created, and generally given the duty to ascertain facts and make recommendations to the Legislature concerning the state budget, through the office of the Legislative Analyst.

This measure would allocate \$2,400,000 from the Contingent Funds of the Assembly and Senate, or so much thereof as may be necessary, for the purposes of the Joint Legislative Budget Committee.

Res. Ch. 51 (ACR 19) Calvo. State Air Resources Board: new source regulations.

This measure would request the State Air Resources Board to conduct public hearings on new source review regulations of the various air pollution control districts and the South Coast Air Quality Management District to determine the relative consistency and uniformity of such regulations.

Res. Ch. 52 (ACR 25) Lewis. Drought: increased water rates.

This measure would request the Public Utilities Commission to approve only certain rate increases and to disallow any rate increase to a water company which would result in excess or windfall profits.

The measure would also request public entities which purvey water in this state to provide, in any increase in rates for water deliveries, only that increased amount which is reasonably necessary to provide adequate revenue to supply needed water to its customers.

Res. Ch. 53 (AJR 16) Lehman. Water: drought: federal contracts.

This measure memorializes the Secretary of the Interior to declare a moratorium on payments from Central Valley Project water users where severe hardships exist until such time as problems growing out of the drought have come to an end and the economic stability of the affected district has been restored.

Res. Ch. 54 (SCR 12) Dunlap. Aerosol propellants: use by public agencies

This measure requests various state and local agencies to cease the purchase and use of nonessential aerosol containers which utilize fluorocarbon as propellants, except those used for medical, dental, or electronic repair purposes.

Res. Ch. 55 (AJR 1) Chacon Relocation assistance.

Existing law provides relocation assistance to persons who have, in addition to other things, owned property for a period of 180 days and a person who has occupied a dwelling for at least 90 days prior to the commencement of negotiations by the public agency for acquisition of the property.

This measure would memorialize the President and Congress to reduce the specific 180-day or 90-day period as necessary, if the public entity determines such reduction is warranted

Res. Ch 56 (ACR 48) Kapiloff Discriminatory freight rates.

This measure would request the Public Utilities Commission to investigate, in cooperation with the Solid Waste Management Board, current rail and truck transportation rates for recyclable materials, and to revise such rates where appropriate in accord with interstate rates

Res. Ch 57 (ACR 20) Calvo. State Air Resources Board Advisory Council

This measure requests the State Air Resources Board to appoint a State Air Resources Board Citizens Advisory Council to assist the board in developing policy and increase public participation in the decisions of the board.

Res. Ch. 58 (ACR 41) Antonovich. Child abuse.

This measure (1) would request the State Department of Health to conduct a survey of the protective service for children programs operated by each county in California, as designated, and report its findings and any recommended legislative reforms to strengthen the objectives of such services to the Legislature by October 1, 1977; and (2) would also request each county welfare department to cooperate in such survey.

Res. Ch. 59 (ACR 30) Alatorre. Rancho Alegre Project.

This measure would request the Department of Parks and Recreation to cooperate with the Rancho Alegre Project and to make available for its performances appropriate facilities within the state park system.

Res. Ch. 60 (ACR 50) Robinson. Bowers Museum: directional signs

This measure would request the Department of Transportation to erect directional signs on State Highway Route 5 (the Santa Ana Freeway) to Bowers Museum in the City of Santa Ana

Res. Ch. 61 (ACR 52) Miller State highways: Route 24 (Interstate 980)

This measure would designate as the John B. Williams Freeway that portion of State Highway Route 24 (Interstate 980) in the City of Oakland from Route 17 to 17th Street, which portion is known as the Grove-Shafter Freeway.

Res. Ch 62 (ACR 70) Hughes Constitutional amendments: withdrawal

Current law authorizes the Legislature to withdraw an amendment to the Constitution that it has proposed to the electors

This measure would withdraw the proposal set forth in Resolution Chapter 41 of the Statutes of 1977, relating to education

Res Ch 63 (AJR 13) Rosenthal. Entertainment industry: foreign film companies

This measure would memorialize the President and the Congress of the United States and the Commissioner of Immigration and Naturalization to protect the inherent rights of United States workers in the entertainment industry

Res Ch. 64 (AJR 15) Chacon Bilingual education

This measure would memorialize the President and Congress to insure continual funding for the federal Bilingual Education Act, to make it an entitlement program, to give a preference to the funding of bilingual programs for limited-English-speaking

pupils, to provide funding for bilingual teacher preparation, and to make available moneys for research and demonstration in bilingual education.

Res. Ch. 65 (AJR 22) Chel. Medicare.

This measure would memorialize the President and the Congress to amend the Social Security Act to include adult day health care centers within the definition of "provider of services" for purposes of Medicare.

Res. Ch. 66 (AJR 32) Ellis. Vocational training.

This measure would memorialize the President and the Congress of the United States to provide federal funding for a loan program to those financially destitute individuals who could effectively upgrade their employment skills by attending vocational schools and trade schools.

Res. Ch. 67 (AJR 52) Gage. Wine standards.

This measure would memorialize the Federal Bureau of Alcohol, Tobacco and Firearms to establish wine appellations of origin in accordance with their notice No. 304 (41 F.R. 50004, November 12, 1976).

Res. Ch. 68 (SCR 27) Petris. County Employees Retirement Law of 1937.

This measure would require the Legislative Analyst to study the County Employees Retirement Law of 1937 and to report to the Legislature no later than July 1, 1978

Res. Ch. 69 (SJR 4) Nejedly. Sacramento-San Joaquin Delta levees.

This measure would request the United States Army Corps of Engineers to expedite completion of the studies of flood protection in the Sacramento-San Joaquin Delta to provide a basis for authorization of the proposed Delta levee improvement project by the Congress

Res. Ch. 70 (SCA 20) Presley. County officers.

Under the existing State Constitution, county officers are provided for but the office of sheriff is not specified

This measure, if approved by the voters, would specifically provide for an elected county sheriff.

Res. Ch. 71 (ACR 24) Duffy. Health professionals.

This resolution requests the Division of Licensing and the Division of Allied Health of the Board of Medical Quality Assurance jointly, in consultation with appropriate healing arts boards and health science educational institutions, to evaluate the applicability of the career ladder principle as it relates to becoming a physician and surgeon and to report to the Legislature by January 1, 1979, recommendations for mechanisms whereby health professionals may, by acquiring the necessary knowledge and skills, expand their scope of practice.

This measure would become operative only if AB 1666 is chaptered.

Res. Ch. 72 (AJR 23) Brown. Workers' compensation: Longshoremen's and Harbor Workers' Compensation Act.

This measure would request Congress to amend the Longshoremen's and Harbor Workers' Compensation Act to exempt from its provisions the recreational boating industry and commercial fishing industry, and their respective support activities, in those states having mandatory workers' compensation coverage.

Res. Ch. 73 (SCR 54) P. Carpenter. Senator Hubert H. Humphrey.

This measure would commend Senator Hubert H. Humphrey for his personal and professional achievements.

Res. Ch. 74 (ACR 34) Cullen. State of California: boundaries.

This measure would request the Governor and the Attorney General to take such action as is necessary to verify and defend the boundaries of the State of California as they are set forth in the 1849 California Constitution.

Res. Ch. 75 (ACR 49) Chimbole. Horseracing.

This measure requests the Division of Fairs and Expositions of the Department of Food and Agriculture to expedite the startup of parimutuel horseracing at certain fairs which have proven through a financial feasibility study that they are able to proceed with such horseracing.

Res. Ch. 76 (SJR 15) Mills. Interstate Commerce Commission.

This measure requests the Interstate Commerce Commission to deny the Southern Pacific Transportation Company petition to abandon the railroad line running between San Diego and El Centro and requests that such company be required to repair and upgrade the line to withstand the forces of nature.

Res. Ch. 77 (SCA 16) Robbins. Insurance for local governmental entities.

Presently the California Constitution does not specifically authorize local governmental entities to obtain insurance or self-insure on a cooperative basis.

This measure would expressly permit local governmental entities, through insurance pooling arrangements under joint exercise of powers agreements or by membership in such publicly-owned, nonprofit corporation or other public agency authorized by the Legislature, to provide for the payment of workers' compensation, unemployment compensation, tort liability, or public liability losses incurred.

Res. Ch. 78 (SJR 18) Beverly. Fort MacArthur.

This measure would memorialize the Secretary of the Army and the Department of Defense to retain the existing main or "middle" Fort MacArthur reservation, situated in the San Pedro district of the Los Angeles area, and would memorialize the President and the Congress to take whatever actions are necessary to retain Fort MacArthur as an active military installation at least at its present level and status.

Res. Ch. 79 (SCR 11) P. Carpenter. Licensing and accreditation of state hospitals.

Directs the Auditor General, in conjunction with the Health Committee of the Assembly and Health and Welfare Committee of the Senate, to conduct a joint investigation of procedures of the State Department of Health for the licensing and accreditation of state hospitals.

Res. Ch. 80 (SCR 6) Stull. Travel and tourism in California.

This measure would direct the California Commission for Economic Development to receive and respond to all inquiries addressed to the State Department of Tourism, Department of Visitor Information or other travel or tourism inquiries. The measure also requests that steps be taken to have located and destroyed a "REFUSED—THIS STATE DEPARTMENT ABOLISHED" stamp, indicated in the measure to be used by the state to respond to such inquiries.

Res. Ch. 81 (SCR 32) Greene. Employment.

This resolution requests the Governor to provide the Legislature with legislative proposals for establishing a policy for employment rights of California citizens; a California full employment program; a permanent job creation system; and creating a more favorable business climate in California.

Res. Ch. 82 (SCR 40) Mills. Joint Rules: short title.

The Temporary Joint Rules for the 1977-78 Regular Session do not currently prohibit the naming of a Member of the Legislature in the short title which may be given to a statute.

This measure would add a provision to the Joint Rules that would impose such a prohibition.

Res. Ch. 83 (ACR 67) Brown. Inpatient intensive rehabilitation hospital services

This measure would request the State Department of Health to (1) refrain from terminating or threatening to terminate inpatient intensive rehabilitation hospital services, (2) to continue licensing health facilities providing such services as general acute care hospitals without requiring such facilities to add surgical capabilities, until July 1, 1978, and (3) to adopt appropriate regulations for licensure of special hospitals

Res. Ch. 84 (ACR 38) Gage. Correctional industries development

This measure directs the Office of Criminal Justice Planning to contract with an appropriate nongovernmental research agency to conduct a study to determine the feasibility of establishing an industrial correctional facility within the California correctional system.

Res. Ch. 85 (SCA 6) Smith. Taxation

The existing Constitution provides that all property is taxable at the same percentage of fair value.

This measure would allow the Legislature to provide for the taxation of owner occupied dwellings, or an ν fraction of the value thereof, at a lower rate than that levied on other property, but would prohibit an increase in the tax rate on other property as a result of lowering the tax rate on owner occupied dwellings. The Legislature would be authorized to define "dwellings"

Res. Ch. 86 (SCA 18) Rains. Usury: interest rates on judgments.

Existing state constitutional law limits the rate of interest on any judgment rendered in any court of the state to 7% per annum

This measure would require the Legislature to set such rate of interest, not to exceed 10% per annum. In the absence of the Legislature setting such rate, the existing rate of 7% per annum would prevail.

Res. Ch. 87 (SCR 17) Nejedly. Air pollution: state implementation plan.

This measure would request the State Air Resources Board to review the State Implementation Plan under the federal Clean Air Act for the purpose of determining whether community-wide tradeoffs should be authorized in preconstruction review of new or modified stationary sources.

Res. Ch. 88 (SCR 35) Mills. Sacramento region emergency medical service/law enforcement study.

This measure would request the Commissioner of the California Highway Patrol to study the effectiveness of helicopters as emergency medical transportation and law enforcement support vehicles in Sacramento and surrounding counties.

Res. Ch. 89 (SCR 53) Mills. Joint Rules: deadlines.

The existing Joint Rules contain the following deadlines, among others: (1) between the fourth Monday in August and September 16 of an odd-numbered year, no committee other than fiscal committees may meet for the purpose of hearing any bill; (2) after August 20 of an even-numbered year no committee may meet for the purpose of hearing any bill; and (3) no committee meetings may be held during the week preceding the summer recess of the odd-numbered year, and none during the week which includes the next-to-last Friday in June of the even-numbered year

Except for the deadline periods enumerated above, bills which would take immediate effect are excluded from the legislative deadlines under the Joint Rules.

This measure would make such exclusion also applicable to constitutional amendments.

Res. Ch. 90 (ACR 18) Bates. University of California.

This measure would request the Regents of the University of California to (1) rescind their decision to require increases in student registration fees on all University of California campuses, and (2) instead, impose such fee increases only on campuses which require them. Also, it is specified that the registration fee committee on each campus have equal decisionmaking power with their chancellor in setting the registration fee levels within the limit set by the regents.

Res. Ch. 91 (ACR 23) Keene. State highway bridges.

This measure would designate the bridge numbered 4-16L, located on State Highway Route 101 across the Eel River between Rio Dell and Fortuna, the Nello J. Barsanti Memorial Bridge; the bridge numbered 4-221R, located on Route 101 across the Eel River between Scotia and Rio Dell, the Stanwood A. Murphy Memorial Bridge; the bridge numbered 4-229, located on Route 255 across Eureka Channel, the Carl L. Chris-

tensen, Jr. Memorial Bridge; and the bridge numbered 4-230, located on Route 255 across Eureka Channel, the Meyer Bistrin Memorial Bridge.

Res. Ch. 92 (ACR 26) Gualco. State employee merit awards.

This measure would authorize the payment of specified additional merit awards approved by the State Board of Control to named state employees.

It would also direct the Legislative Analyst to study the merit award system in comparison to other public and private systems in such areas as awards to supervisors of suggestors, maximum payments, and percentage share of savings awarded to suggestors and to report thereon to the Legislature on or before October 1, 1977.

Res. Ch. 93 (ACR 68) Young. Carley V. Porter.

This measure would memorialize the contributions of the late Assemblyman Carley V. Porter to making water available for the use of the people of our state.

Res. Ch. 94 (AJR 21) Priolo. Postal rate: campaign literature.

This measure would memorialize the Board of Governors of the United States Postal Service, the Postal Rate Commission, and the Congress of the United States to allow each candidate for any public office to make 1 mailing of campaign literature to each voter residing within the jurisdiction from which the candidate seeks election at the lowest available postal rate.

Res. Ch. 95 (AJR 33) Perino. Bees: emergency livestock fund.

This measure memorializes the President and Congress to include bees within the definition of livestock for the purposes of making emergency loans both under an existing program and one pending before Congress.

Res. Ch. 96 (AJR 40) Chappie. Sugar Pine Dam: funding.

This measure would memorialize the President and the Congress to immediately fund the construction of the Sugar Pine Dam in Placer County.

Res. Ch. 97 (AJR 42) Chappie. Border inspection station personnel.

This measure would memorialize the Secretary of the Treasury and the Regional Commissioner of the United States Customs Service, Los Angeles, to employ an additional 35 persons at the San Ysidro and Calexico stations in order to eliminate unnecessary delays at the border inspection stations when persons enter the United States from Mexico.

Res. Ch. 98 (SCR 5) Rains. Zero-based budgeting: pilot program.

This measure would request the Governor to implement a zero-based budgeting pilot program for a state department designated by the Governor and to utilize a fiscal year zero-based budget for that department for the 1978-79 fiscal year, pursuant to the provisions of Chapter 260 of the Statutes of 1977 (SB 337). The measure would also request the Governor to report to the Legislature on the pilot program and to make recommendations regarding the implementation of zero-based budgeting for all state agencies.

Res. Ch. 99 (SCA 29) Marks. Taxation: rehabilitated property.

Under existing provisions of the California Constitution, all property not otherwise exempted is subject to property taxation.

This measure would authorize the Legislature in certain cases to exempt a portion of the full value of a qualified residential dwelling from property taxation, for the 5 fiscal years following the rehabilitation of such dwelling. Such exemption would be an amount equal to the full value of such rehabilitation up to the maximum amount specified by the Legislature, and would be applied only to that portion of the full value attributable to such rehabilitation of the exempted dwelling which exceeds the full value of such dwelling before such rehabilitation.

Res. Ch. 100 (AJR 8) Arnett. Incendiary fires: uniform crime reporting system.

This measure would memorialize the United States Attorney General and the Director of the Federal Bureau of Investigation to reclassify or declare incendiary fires as a Part I crime under the Uniform Crime Reporting System.

Res. Ch 101 (AJR 18) Antonovich. Illegal aliens

This measure memorializes the President and Congress to enact legislation imposing more stringent safeguards against the unlawful immigration of aliens into the country, expresses the support of the Legislature for an increase in manpower for the Immigration and Naturalization Service, and urges the federal government to reimburse units of local government for the costs of medical, social, educational, and criminal justice services incurred as a result of the entry of illegal aliens into this country.

Res. Ch. 102 (ACR 55) Hart. School principals: professional development.

This measure would direct the Legislative Analyst to review and analyze current research regarding the training, selection, credentialing, evaluation, and continuing professional development of school principals and to prepare a report thereon to the Legislature containing specified information with respect to school principals

Res. Ch. 103 (ACR 76) Cullen. Auditor General.

This measure would commend Auditor General John H. Williams and auditors Gerald A. Silva and R. Lilia Molina for outstanding research reporting.

Res. Ch. 104 (AJR 28) Torres. Carcinogens, flame retardant chemicals.

This measure would request the Congress of the United States to enact legislation (1) prohibiting further use of a flame retardant commonly known as "Tris," (2) requiring manufacturer recall of all materials treated with "Tris," (3) providing for ongoing studies of flame retardants for health hazards; (4) and requiring garments treated with chemical substances to disclose the same.

Res. Ch. 105 (AJR 47) Montoya. Japanese-American assembly centers

Recommends that the 12 Japanese-American assembly center sites in California be nominated to the National Register of Historic Places.

Res. Ch. 106 (SCR 4) Rains. Zero based budgeting Department of Finance study.

This measure would request the Department of Finance to conduct a survey of what other states and public entities in California are doing with respect to zero-based budgeting and to make a report thereon to the Legislature no later than January 8, 1978.

Res. Ch. 107 (SCR 30) Roberti. State forms.

This measure would request the Forms Management Center of the Department of General Services to conduct a specified study and make recommendations with respect to the forms used by state agencies which are disseminated to private businesses for the purpose of gathering specified information.

In addition, it would request the center to submit a report to the Legislature by January 1, 1980, summarizing its activities and recommendations.

Res. Ch. 108 (SCR 37) Russell. Cal-OSHA: quality of health referrals.

This measure would request the Department of Industrial Relations and the State Department of Health, with the advice of the Legislative Analyst, to develop procedures for improving the quality of referrals of possible Cal-OSHA health violations which are sent by the Division of Industrial Safety to the State Department of Health for investigation, and report to the Legislature by November 1, 1977

Res. Ch. 109 (SCR 33) Russell. Cal-OSHA: layman's guide to standards.

This measure would request the Department of Industrial Relations and the State Department of Health, with the advice of the Legislative Analyst, to develop and make available to employers, employees, and the public a nonlegal, nontechnical, simplified version of the occupational safety and health standards, concentrating on those standards of greatest concern to employers and the Department of Industrial Relations, and report to the Legislature by November 1, 1977.

Res. Ch. 110 (SCA 37) Roberti. Taxation of local governmental real property

The existing Constitution generally provides that lands and improvements owned by a local government that are outside its boundaries (but are not in Inyo or Mono County) are taxable if they were taxable when acquired by the local government or were constructed by the local government to replace improvements which were taxable when acquired

This measure would specify that such lands and improvements shall not be taxed by the county they are located in, or by any taxing authority therein, if they were located in the county owning them and, while owned by such county, became located in another county due to specified circumstances.

Res. Ch. 111 (SCR 51) Alquist. Public Utilities Commission.

This measure requests the Public Utilities Commission to continue to take steps to insure action on public utility rate increase applications within one year, to advise the Legislature on the status of such applications, and to submit an annual report advising the Legislature of progress made in the preceding year relative to such objectives.

Res. Ch. 112 (SCR 55) D Carpenter. Budget Act of 1977: Item 106: veto of control language.

This measure would urge the State Controller not to allow the use of any funds appropriated by Item 106 of the Budget Act of 1977 in a manner contrary to the control language of Item 106 of the Budget Act of 1977, as passed by the Legislature.

Res. Ch. 113 (SCR 46) Holmdahl. Joint Committee on the State's Economy.

This measure would continue the existence of the Joint Committee on the State's Economy through August 31, 1978.

Res. Ch. 114 (SJR 12) Stull. Hydrothermal powerplants.

This measure memorializes Congress and the President to establish a hydrothermal binary cycle demonstration powerplant in California.

Res. Ch. 115 (SJR 21) Foran Arson: uniform crime reporting system.

This measure would memorialize the United States Attorney General and the Director of the Federal Bureau of Investigation to reclassify or declare arson as a Part I crime under the Uniform Crime Reporting System.

Res. Ch. 116 (SJR 22) Greene. Violence on television.

Memorializes the Federal Communications Commission to take such action as may be necessary to reduce violence on television

Res. Ch. 117 (SJR 26) Dunlap. Veterans Administration: veterans education benefits

This measure would memorialize the President and Congress to take various actions to withdraw certain claims of the Veterans Administration against tuition-free community colleges, to reduce certain intrusions into college internal affairs and prerogatives, and to provide judicial review and other due process procedures.

Res. Ch. 118 (SJR 27) Holden Genetic diseases

This measure would memorialize Congress to appropriate \$30,000,000 for each of the 1977, 1978, and 1979 fiscal years to fund programs authorized by the National Sickle Cell Anemia, Cooley's Anemia, Tay Sachs, and Genetic Diseases Act.

Res. Ch. 119 (ACR 2) McAlister. Joint Legislative Committee on Tort Liability.

This measure would extend the termination date of the Joint Legislative Committee on Tort Liability from January 1, 1978, to January 1, 1979. It would also increase the membership of the joint committee from 10 to 12.

Res. Ch. 120 (ACR 81) Knox. Jefferson E. Peyser.

This measure would commend and congratulate Jefferson E. Peyser upon the occasion of his retirement.

Res. Ch. 121 (ACR 78) Boatwright Joint advisory committee: prison study.

This measure would create, in accordance with certain provisions of the Budget Act of 1977, the Joint Advisory Committee on State Prison. Facilities and Incarceration Alternatives, prescribe the composition of its members and their duties, require the committee to report to both budget committees of the Legislature by May 1, 1978, regarding specified matters, and allocate to the committee \$250,000, or so much thereof as may be necessary, from certain funds appropriated in the Budget Act of 1977.

Res. Ch. 122 (ACR 40) Papan Leaves of absence

Existing law prohibits state or municipal officers from absenting themselves from the state for more than 60 days, unless, among other exceptions, such absence is with the consent of the Legislature

This measure would grant leaves of absence for more than 60 days to the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization and State Personnel Board, Senators and Assemblymen, such persons successors and any person filling a vacancy in such an office

Res. Ch. 123 (AJR 45) Mori. Study of cosmetology schools.

This measure would request the Legislature, through appropriate committees in conjunction with the office of the Legislative Analyst, to investigate and conduct a study of cosmetology schools in California and to have such committees report their recommendations to the Legislature

Res. Ch. 124 (AJR 39) Antonovich. Child abduction.

Memorializes the President and Congress of the United States to give serious consideration to the problem of child abduction as it exists in the United States and expresses the support of the California Legislature for the enactment of federal legislation providing for the speedy return of an abducted child to his or her legal custodian and criminal prosecution of the abductor

CROSS-REFERENCE TABLES

BILL TO CHAPTER NUMBER

1977

1977-78 REGULAR SESSION

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ASSEMBLY BILLS

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1	1154	114	343	213	106
6	23	119	104	214	462
8	673	120	1193	215	20
9	1044	121	1195	218	314
12	3	123	994	224	274
13	49	127	233	231	639
18	303	131	32	232	368
21	381	133	17	234	304
27	163	134	11	237	434
29	30	138	754	239	69
30	321	142	1105	242	435
31	1012	144	288	243	324
33	15	148	614	244	130
35	797	151	461	245	1198
38	1147	153	234	246	1191
39	7	155	360	247	1084
44	60	156	166	248	275
45	856	157	189	249	192
47	33	158	190	250	289
48	613	161	661	253	367
49	608	163	44	256	235
51	110	164	18	258	325
58	10	165	344	261	99
62	16	166	1157	263	677
65	894	168	56	264	131
66	24	169	129	265	1017
71	224	170	26	266	290
72	340	173	638	267	347
75	128	175	984	268	1239
77	61	178	404	269	67
78	380	180	359	270	65
82	460	181	5	273	457
83	341	183	400	276	77
84	1241	184	219	278	38
85	232	185	167	279	39
87	25	186	322	281	310
88	398	187	273	284	716
93	1138	188	105	285	607
94	971	194	1080	286	506
99	309	195	669	287	193
100	853	198	376	288	1085
101	271	199	505	289	649
105	399	200	191	292	194
106	1083	201	287	295	57
108	395	202	27	297	168
109	342	203	671	298	863
111	944	205	361	299	132
113	272	212	323	300	717

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302	1079	427	369	552	197
304	58	428	59	554	216
305	133	429	68	557	429
307	45	433	137	560	759
308	42	439	71	565	648
309	718	440	327	566	112
311	134	441	1046	567	176
312	463	442	40	568	852
313	326	443	236	570	198
314	78	445	175	573	507
315	615	446	169	576	371
317	46	447	36	577	239
319	47	448	37	578	100
320	90	449	138	579	1236
321	394	452	1163	584	366
322	135	453	403	586	851
323	94	455	237	587	83
328	364	456	617	588	143
339	66	457	1186	591	1184
342	616	459	915	592	144
348	1062	460	979	593	145
350	96	461	1052	594	818
352	464	462	436	597	816
360	136	463	139	600	566
364	85	464	8	601	407
366	946	465	374	602	974
369	79	476	165	607	339
370	291	477	824	609	199
371	377	478	503	610	240
373	88	479	370	614	1110
374	102	480	437	617	835
376	676	484	160	619	1047
378	318	486	467	622	657
380	28	488	311	623	957
383	609	491	665	628	200
385	1086	495	681	629	656
386	349	499	405	630	292
388	174	501	196	631	439
390	537	502	140	633	146
391	430	503	438	634	241
395	86	505	662	637	626
397	195	506	238	641	987
399	1160	510	406	642	627
401	401	513	1152	645	242
402	1106	515	1185	647	1201
403	80	518	375	650	1023
405	667	520	468	653	378
406	641	521	336	655	352
407	70	530	965	656	469
408	465	532	672	657	470
409	858	533	574	658	217
410	751	534	868	659	329
415	350	541	647	660	382
417	466	542	1194	664	1227
418	402	544	141	665	147
420	571	547	19	667	201
421	81	548	91	670	567
422	351	550	142	673	243
423	305	551	966	674	670

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675	328	796	951	942	206
676	606	797	637	943	813
677	148	799	967	946	307
679	221	800	453	950	586
681	222	803	972	956	870
682	244	804	539	960	392
687	397	808	372	965	1103
688	408	812	517	968	629
695	471	814	510	970	580
696	729	815	1228	976	588
697	587	816	246	977	1225
698	472	818	511	983	991
700	757	822	373	985	249
701	396	825	247	986	1226
703	473	829	619	988	1059
704	508	832	153	990	417
707	428	835	385	991	933
708	353	846	294	993	250
711	795	847	895	994	207
713	666	851	1031	997	424
715	1063	852	512	998	1199
716	412	854	95	1001	478
717	843	855	650	1002	355
718	9	856	989	1005	379
722	509	857	914	1007	155
727	928	858	652	1013	985
729	82	859	1211	1017	320
730	409	865	1141	1019	720
731	558	874	319	1020	1112
732	149	875	154	1022	156
733	866	878	921	1027	276
735	825	881	1064	1033	841
738	1188	882	513	1042	719
739	969	883	354	1044	1018
741	151	884	1200	1046	812
742	330	885	620	1047	1019
743	440	887	960	1049	630
744	618	891	362	1050	924
747	474	894	419	1051	990
748	202	896	668	1053	1229
749	1087	899	365	1056	387
753	475	901	817	1058	958
754	245	905	248	1061	640
755	203	906	205	1065	459
756	331	907	514	1066	645
762	526	911	1202	1069	1190
764	564	913	97	1070	1242
766	674	915	992	1071	208
767	204	917	959	1072	295
769	1224	920	927	1074	157
770	306	921	628	1079	604
776	476	922	1107	1080	660
778	152	924	1109	1086	864
779	293	926	515	1087	479
783	762	936	796	1089	831
784	410	937	391	1090	860
786	150	938	1048	1094	721
787	477	940	516	1098	413
789	1111	941	393	1100	836

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1103	1022	1252	753	1446	546
1107	1204	1255	254	1448	1208
1110	1192	1258	1035	1453	961
1112	158	1259	723	1463	562
1113	177	1269	332	1466	1045
1120	688	1271	441	1467	481
1122	575	1273	209	1468	418
1124	1203	1275	568	1480	356
1127	315	1278	1137	1481	659
1128	993	1280	299	1485	605
1142	411	1282	699	1487	258
1143	1115	1283	986	1489	1145
1144	805	1284	573	1490	726
1146	518	1286	703	1492	996
1148	1237	1288	1246	1493	725
1150	296	1291	651	1496	632
1151	867	1306	1021	1497	710
1158	540	1307	1016	1500	547
1159	541	1308	684	1502	865
1161	542	1309	1196	1505	538
1162	543	1310	1197	1512	1081
1163	1038	1316	846	1515	874
1164	655	1319	256	1518	653
1165	1114	1324	679	1521	839
1167	624	1326	631	1525	548
1168	519	1328	1116	1530	386
1172	962	1329	527	1533	1253
1173	714	1333	561	1534	1034
1175	414	1335	871	1535	454
1177	159	1342	947	1540	582
1178	297	1344	980	1544	903
1179	415	1346	442	1550	698
1181	815	1350	943	1552	1133
1187	642	1367	257	1558	1082
1188	902	1375	976	1567	919
1189	1257	1376	1205	1569	1073
1191	975	1377	750	1575	680
1193	922	1379	1143	1576	482
1195	1209	1383	1223	1580	1061
1202	1115	1384	1069	1588	388
1203	1206	1389	1214	1592	1250
1204	873	1390	837	1593	1039
1205	298	1393	1210	1594	570
1206	1123	1396	802	1595	691
1209	578	1398	678	1596	1130
1211	1108	1400	1119	1598	550
1214	544	1403	545	1602	569
1215	255	1404	749	1607	416
1220	1215	1406	584	1608	420
1225	317	1407	811	1610	211
1226	251	1409	621	1611	1066
1229	252	1412	724	1612	1065
1230	654	1414	1120	1620	982
1237	950	1424	872	1621	713
1238	983	1428	968	1628	1142
1248	1212	1430	1121	1630	549
1249	253	1434	1256	1637	664
1250	1247	1442	210	1641	1230
1251	722	1443	480	1643	161

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1676	1074	1763	904	1862	335
1683	800	1764	675	1866	728
1685	1025	1767	589	1867	685
1686	760	1769	427	1870	363
1688	312	1776	623	1873	686
1690	565	1783	92	1880	942
1692	555	1784	1032	1881	801
1693	1036	1787	995	1882	799
1694	862	1788	952	1883	533
1698	1232	1794	554	1885	1068
1701	109	1795	880	1888	259
1710	556	1808	1014	1890	905
1716	334	1817	113	1892	212
1717	1155	1823	425	1926	301
1719	869	1824	682	1928	878
1721	1231	1825	643	1952	302
1722	695	1828	625	1954	634
1724	308	1829	1218	1973	906
1729	300	1832	557	1980	876
1730	1213	1833	929	1989	178
1731	1221	1835	357	1995	421
1733	1217	1837	313	2006	842
1735	551	1841	727	2022	1233
1736	683	1845	577	2024	798
1744	223	1846	114	2028	1222
1745	988	1850	48	2029	814
1746	622	1852	1144	2030	1124
1748	1134	1853	1216	2038	1049
1751	552	1856	218	2039	1234

SENATE BILLS

Senate Bill	Chapter	Senate Bill	Chapter	Senate Bill	Chapter
7	1140	152	591	286	1010
8	170	153	761	289	810
9	1162	155	316	290	1020
14	1	157	73	291	887
15	2	158	93	292	1167
18	72	168	50	293	13
22	29	169	523	294	1244
24	14	170	709	298	784
28	345	171	338	299	881
30	2	172	458	301	484
32	763	173	1165	302	279
35	1033	175	734	305	690
36	504	176	98	308	1181
38	890	177	954	309	524
40	1164	179	1090	310	120
41	213	181	1027	311	1168
44	893	185	227	314	445
45	6	190	498	315	896
55	346	192	76	316	171
56	34	198	277	317	84
59	1056	199	977	324	767
65	520	200	1104	325	593
68	1158	201	955	326	768
69	179	202	1166	327	107
70	1015	208	53	328	888
73	116	213	956	332	848
74	52	221	499	334	769
76	85	222	228	335	214
79	687	223	87	337	260
83	521	224	1149	338	230
84	1240	226	118	343	1092
85	31	227	909	344	1101
86	22	230	62	348	770
90	1135	231	384	349	431
91	892	232	51	350	432
92	908	233	483	352	850
93	765	237	907	354	1070
98	590	239	883	355	806
101	875	240	732	357	776
102	74	241	978	358	581
108	1013	249	63	363	1252
112	35	250	592	364	1093
114	444	257	383	366	64
115	963	258	54	367	182
118	162	260	119	368	772
122	180	261	229	370	1150
123	4	266	1091	371	1058
128	522	267	12	372	55
134	426	268	1011	375	758
138	731	269	278	379	576
140	75	274	433	380	1040
141	43	275	181	384	1243
143	117	276	1088	385	101
144	764	277	733	386	771
146	103	278	849	392	879
147	711	280	766	398	791
150	773	285	877	399	231

Senate Bill	Chapter	Senate Bill	Chapter	Senate Bill	Chapter
402	261	543	694	671	898
403	1258	545	124	673	525
404	792	547	125	676	572
406	423	548	1171	678	828
408	226	549	748	681	187
409	446	552	693	683	1151
410	389	560	692	685	348
416	819	561	280	687	1173
417	821	564	455	689	644
420	1057	566	447	691	912
422	262	570	529	693	597
423	108	573	1102	696	283
424	689	574	281	699	1261
426	358	576	939	700	1175
427	786	577	41	710	1054
429	1067	578	788	711	706
430	1125	579	845	713	705
431	121	580	938	714	1005
439	941	581	838	715	487
440	663	582	696	716	264
441	122	586	736	718	111
444	820	588	1245	719	456
448	756	589	1078	721	738
456	1248	590	560	722	899
457	485	592	1189	725	1122
458	953	593	827	728	1076
459	1006	596	282	729	633
465	1072	597	337	730	448
466	123	598	882	731	265
468	1131	599	1009	733	1041
469	1235	601	595	747	1037
471	183	604	897	749	601
473	793	605	861	750	450
475	184	606	486	755	502
476	925	607	1075	759	1043
480	822	608	1055	760	1030
482	999	610	1187	761	488
483	594	611	1028	763	1024
486	823	613	937	765	830
491	735	618	1260	771	1127
492	1259	619	186	772	997
496	857	625	787	777	704
498	940	626	910	778	752
503	945	629	1126	781	964
505	1007	636	697	783	832
507	225	638	500	786	739
510	826	640	701	787	936
511	884	643	737	788	266
512	172	648	596	791	702
514	1183	650	1161	792	1255
518	1153	654	1003	795	188
520	1172	656	829	797	535
521	602	657	612	799	267
522	390	658	263	801	926
523	585	662	1170	804	611
526	115	663	1029	807	935
528	583	664	658	811	528
539	1026	665	783	812	1094
541	185	666	1169	813	501

CROSS-REFERENCE TABLES

Senate Bill	Chapter	Senate Bill	Chapter	Senate Bill	Chapter
817	1143	952	742	1086	901
819	740	953	886	1091	1004
820	1174	963	916	1095	934
821	220	964	973	1099	1156
823	700	965	782	1107	889
824	489	967	1097	1109	745
825	755	968	635	1110	1042
827	1093	970	126	1114	494
829	805	971	1071	1115	747
831	900	976	809	1121	998
833	579	977	1132	1123	610
838	1182	979	451	1124	532
839	1159	980	452	1125	598
843	932	982	1050	1131	785
845	1136	986	1254	1134	1051
848	1053	987	268	1136	534
850	780	988	741	1141	777
852	1129	989	981	1145	536
856	743	994	744	1149	495
858	646	995	712	1151	496
860	840	996	1117	1153	1008
862	911	998	781	1154	599
863	1139	1001	1002	1159	563
866	1000	1002	779	1160	559
871	1249	1004	833	1168	923
873	215	1010	1042	1173	789
876	1128	1018	603	1177	775
877	490	1023	127	1178	164
879	491	1024	1077	1181	269
883	1095	1029	1178	1187	285
884	1099	1032	636	1190	600
885	948	1033	173	1191	286
886	930	1034	1100	1198	970
887	492	1040	854	1200	270
888	1219	1041	531	1207	449
891	882	1046	794	1208	1060
901	774	1049	1096	1209	834
908	493	1050	1251	1216	497
911	1001	1052	790	1218	949
912	707	1053	891	1221	917
914	804	1059	284	1224	1118
921	931	1066	708	1236	422
922	530	1070	1242	1238	807
923	1146	1071	913	1240	1089
927	859	1072	847	1241	746
928	918	1074	808	1243	778
933	1177	1077	1179	1248	844
940	920	1079	715	1257	1180
942	1176	1081	855	1284	1220

ASSEMBLY CONSTITUTIONAL AMENDMENTS

ACA	Resolution Chapter	ACA	Resolution Chapter	ACA	Resolution Chapter
22	41				

ASSEMBLY CONCURRENT RESOLUTIONS

ACR	Resolution Chapter	ACR	Resolution Chapter	ACR	Resolution Chapter
1	2	20	57	41	58
2	119	21	19	48	56
4	17	23	91	49	75
5	40	24	71	50	60
6	4	25	52	52	61
11	42	26	92	53	27
14	14	29	43	67	83
15	8	30	59	68	93
16	10	34	74	70	62
17	30	35	102	76	103
18	90	38	84	78	121
19	51	40	122	81	120

ASSEMBLY JOINT RESOLUTIONS

AJR	Resolution Chapter	AJR	Resolution Chapter	AJR	Resolution Chapter
1	55	16	53	32	66
3	23	18	101	33	95
5	25	21	94	35	37
8	100	22	65	39	124
9	33	23	72	40	96
12	34	26	35	42	97
13	63	28	104	45	123
14	31	29	32	47	105
15	64	30	44	52	67

SENATE CONSTITUTIONAL AMENDMENTS

SCA	Resolution Chapter	SCA	Resolution Chapter	SCA	Resolution Chapter
6	85	18	86	26	47
15	29	20	70	29	99
16	77	25	48	37	110

SENATE CONCURRENT RESOLUTIONS

SCR	Resolution Chapter	SCR	Resolution Chapter	SCR	Resolution Chapter
1	3	16	15	37	108
2	1	17	87	38	109
3	24	19	21	40	82
4	106	20	12	42	50
5	98	22	9	45	28
6	80	25	49	46	113
7	11	27	68	47	38
8	7	30	107	48	39
9	6	31	16	49	46
10	5	32	81	51	111
11	79	35	88	53	89
12	54	36	22	54	73
				55	112

SENATE JOINT RESOLUTIONS

SJR	Resolution Chapter	SJR	Resolution Chapter	SJR	Resolution Chapter
1	13	9	20	21	115
2	35	12	114	22	116
3	13	15	76	26	117
4	69	16	26	27	118
8	45	18	78		

BILLS VETOED BY GOVERNOR

1977

ASSEMBLY BILLS

16,	67,	167,	209,	221,	290,	324,	953,	984,	1015,	1040,	1052,	1104,	1157,
384,	412,	424,	438,	466,	472,	487,	1186,	1242,	1285,	1292,	1297,	1353,	1394,
528,	553,	555,	589,	613,	636,	638,	1411,	1425,	1427,	1440,	1447,	1454,	1491,
662,	686,	734,	745,	773,	777,	798,	1561,	1599,	1623,	1672,	1691,	1718,	1737,
834,	845,	860,	868,	872,	886,	951,	1765,	1807,	1827,	1872,	1894,	1927,	1971.

SENATE BILLS

21,	26,	49,	80,	87,	96,	99,	499,	517,	524,	540,	546,	571,	572,
125,	139,	166,	196,	217,	242,	263,	603,	679,	695,	742,	753,	776,	798,
282,	307,	313,	353,	400,	405,	414,	800,	816,	861,	870,	898,	900,	907,
419,	425,	435,	454,	455,	474,	494,	917,	920,	983,	984,	1087,	1184,	1262.